



AGENDA

PLANNING AND ZONING COMMISSION

Workshop Meeting

Thursday, May 21, 2009, at 6:00 PM
City Hall Council Chambers
1101 Texas Avenue
College Station, Texas

-
1. Call the meeting to order.
 2. Discussion of consent and regular agenda items.
 3. Presentation, possible action, and discussion regarding an update to the Commission on the status of items within the 2009 P&Z Plan of Work (see attached). **(JS)**
 4. Presentation, possible action, and discussion regarding the P&Z Calendar of Upcoming Meetings.
 - ▼ June 4, 2009 ~ P&Z Meeting ~ Council Chambers ~ Workshop 6:00 p.m. and Regular 7:00 p.m.
 - ▼ Monday, June 15, 2009 ~ City Council Meeting ~ Council Chambers ~ 7:00 p.m.
 5. Presentation, possible action, and discussion regarding the Bicycle, Pedestrian, and Greenways Plan.
 6. Discussion, review and possible action regarding the following meetings: Design Review Board, Council Transportation Committee, Joint Parks/Planning and Zoning Subcommittee, Wolf Pen Creek Oversight Committee, Platting Requirements and Standards Subcommittee.
 7. Discussion and possible action on future agenda items – A Planning and Zoning Member may inquire about a subject for which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.
 8. Adjourn.

Consultation with Attorney {Gov't Code Section 551.071} ; possible action.

The Planning and Zoning Commission may seek advice from its attorney regarding a pending and contemplated litigation subject or attorney-client privileged information. After executive session discussion, any final action or vote taken will be in public. If litigation or attorney-client privileged information issues arise as to the posted subject matter of this Planning and Zoning Commission meeting, an executive session will be held.

Notice is hereby given that a Workshop Meeting of the College Station Planning and Zoning Commission, College Station, Texas will be held on the Thursday, May 21, 2009 at 6:00 PM at the City Hall Council Chambers, 1101 Texas Avenue, College Station, Texas. The following subjects will be discussed, to wit: See Agenda.

Posted this the ____ day of May, 2009, at _____

CITY OF COLLEGE STATION, TEXAS

By _____
Connie Hooks, City Secretary

I, the undersigned, do hereby certify that the above Notice of the Workshop Meeting of the Planning and Zoning Commission of the City of College Station, Texas, is a true and correct copy of said Notice and that I posted a true and correct copy of said notice on the bulletin board at City Hall, 1101 Texas Avenue, in College Station, Texas, and the City's website, www.cstx.gov. The Agenda and Notice are readily accessible to the general public at all times. Said Notice and Agenda were posted on May __, 2009, at _____ and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

This public notice was removed from the official posting board at the College Station City Hall on the following date and time: _____ by _____.

Dated this ____ day of _____, 2009.

CITY OF COLLEGE STATION, TEXAS

By _____

Subscribed and sworn to before me on this the _____ day of _____, 2009.

Notary Public- Brazos County, Texas

My commission expires: _____

This building is wheelchair accessible. Handicap parking spaces are available. Any request for sign interpretive service must be made 48 hours before the meeting. To make arrangements call (979) 764-3517 or (TDD) 1-800-735-2989. Agendas may be viewed on www.cstx.gov. Planning and Zoning Commission meetings are broadcast live on Cable Access Channel 19.

AGENDA
PLANNING AND ZONING COMMISSION
Regular Meeting
Thursday, May 21, 2009, at 7:00 PM
City Hall Council Chambers
1101 Texas Avenue
College Station, Texas

-
1. Call meeting to order.
 2. **Hear Citizens.** At this time, the Chairman will open the floor to citizens wishing to address the Commission on planning and zoning issues not already scheduled on tonight's agenda. The citizen presentations will be limited to three minutes in order to accommodate everyone who wishes to address the Commission and to allow adequate time for completion of the agenda items. The Commission will receive the information, ask city staff to look into the matter, or will place the matter on a future agenda for discussion. (A recording is made of the meeting; please give your name and address for the record.)

All matters listed under Item 3, Consent Agenda, are considered routine by the Planning and Zoning Commission and will be enacted by one motion. These items include preliminary and final plats, where staff has found compliance with all minimum subdivision regulations. All items approved by Consent are approved with any and all staff recommendations. There will not be separate discussion of these items. If any Commissioner desires to discuss an item on the Consent Agenda it will be moved to the Regular Agenda for further consideration.

3. **Consent Agenda.**
 - 3.1 Consideration, discussion, and possible action to approve meeting Minutes.
 - April 2, 2009 ~ Workshop
 - April 2, 2009 ~ Regular
 - May 7, 2009 ~ Workshop
 - May 7, 2009 ~ Regular
 - 3.2 Presentation, possible action, and discussion on a Final Plat for College Hills Elementary School Subdivision, consisting of one lot on 16.066 acres located at 1101 Williams Street. **Case #09-00500079 (JS)**
 - 3.3 Presentation, possible action, and discussion on a Final Plat for Spring Creek Commons Phases 4 & 5, consisting of ten lots on 24.588 acres located in the general vicinity of the northeast corner of State Highway 6 South and William D. Fitch Parkway. **Case #09-00500083 (JS)**

- 3.4 Presentation, possible action, and discussion on a Final Plat of the Barracks Subdivision Phase 2, consisting of 50 lots on 5.012 acres generally located southwest of the intersection of Rock Prairie Road and F.M. 2154. **Case #09-00500071 (MKH)**

Regular Agenda

4. Consideration, discussion, and possible action on items removed from the Consent Agenda by Commission action.
5. Public hearing, presentation, possible action, and discussion on a rezoning from A-O Agricultural-Open to C-1 General Commercial for approximately 8.76 acres generally located east of State Highway 6, approximately 2,600 feet south of the intersection of State Highway 6 and Rock Prairie Road. **Case #09-00500055 (JP)**
6. Public hearing, presentation, possible action, and discussion on a rezoning from A-O Agricultural-Open, C-2 Commercial Industrial, and R-4 Multi-Family to C-1 General Commercial for approximately 35.70 acres generally located southeast of the intersection of State Highway 6 and Rock Prairie Road. **Case #09-00500056 (JP)**
7. Discussion and possible action on future agenda items – A Planning and Zoning Member may inquire about a subject for which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.
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Dated this ____ day of _____, 2009.

CITY OF COLLEGE STATION, TEXAS

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Subscribed and sworn to before me on this the _____ day of _____, 2009.

Notary Public- Brazos County, Texas

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Planning & Zoning Commission 2009 Plan of Work

Active and Completed Items

Community & Neighborhood Planning

Comprehensive Plan Phase 2	
<p>Summary: Council Initiative. Continuation of Comprehensive Plan update. Phase 2 is the formulation and completion of chapters and elements of the Comprehensive Plan including items relating to CCN service boundaries and managing development and redevelopment in the City and ETJ.</p>	<p>Project Dates: 3/31/09: Joint meeting with Council for Comp Plan 4/15/09: Joint CPAC, P&Z, and Council meeting 5/07/09: P&Z considered and recommended approval to Council 5/28/09: Council public hearing and consideration</p>
Staff Assigned: JP, P&DS Staff	Anticipated Completion: 2nd Quarter

Annexation	
<p>Summary: Council Initiative. Complete annexation of identified "exempt" areas, including development agreements and service plan. Identify other areas for potential 3-year annexation plan as directed through the Comprehensive Plan.</p>	<p>Project Dates: 12/16/08: Council directed Staff to move forward with exempt areas (including area add by P&Z) 6/11/09: Council to consider accepting non-annexation development agreements</p>
Staff Assigned: LS	Anticipated Completions: 3rd Quarter (exempt); 4th Quarter (3-yr plan)

Neighborhood Integrity	
<p>Summary: Council Initiative. Obtain stakeholder input and general formulation of appropriate neighborhood integrity and protection measures to implement the Strong and Sustainable Neighborhoods initiative.</p>	<p>Project Dates: 12/16/08: Council adopted ordinance for Rental Registration and Host Responsibilities.</p>
Staff Assigned: P&DS Staff	Completed: 1st Quarter (mid-term actions); Anticipated Completion: 3rd Quarter (long-term actions)

Historic Preservation	
<p>Summary: Council Initiative. Create Landmark Commission, establish Historic Preservation program including the designation report and design guidelines.</p>	<p>Project Dates: 2/23/09 Landmark Commission begins regular meetings the fourth Monday of the month at 5 p.m</p>
Staff Assigned: P&DS Staff	Completed: 1st Quarter (Landmark Commission); Anticipated Completion: 3rd Quarter (district study)

Bicycle, Pedestrian, and Greenways Master Plan	
<p>Summary: Council Initiative. Creation of a plan that addresses non-motorized transportation (bicycle, pedestrian and greenway facilities) through system and implementation strategies and recommendations.</p>	<p>Project Dates: 5/19/09: Community Meeting at Conference Center at 6:30pm 5/21/09: Plan update at P&Z Workshop 5/28/09: Plan update at Council Workshop 6/23/09: Technical Task Force meeting</p>
Staff Assigned: VG	Anticipated Completion: 3rd Quarter

Neighborhood/Corridor/District Plans	
Summary: Council Initiative. Development of neighborhood and community planning tools to identify how and when plans would be started upon completion of the Comprehensive Plan.	Project Dates:
Staff Assigned: LK	Anticipated Completion: 1st Quarter (program outline); 3rd Quarter (program implementation)

Data Collection & Analysis

Economic Statistics and Data	
Summary: P&Z Initiative. Develop geographic portrayal of physical changes in the City and to the City's plans - such as land uses, comprehensive plan changes, demographics, infrastructure, etc.	Project Dates:
Staff Assigned: P&DS Staff	Anticipated Completion: 1st Quarter

Development Trends	
Summary: P&Z Initiative. Develop geographic portrayal of physical changes in the City and to the City's plans - such as land uses, comprehensive plan changes, demographics, infrastructure, etc.	Project Dates: 4/2/09: Initial item presented at P&Z Workshop.
Staff Assigned: P&DS Staff	Anticipated Completion: 1st Quarter

Development Services

Subdivision Regulations	
Summary: Council Initiative. Revise Subdivision Regulations within UDO to identify and address deficiencies in current practices and standards. This includes an evaluation of best practices including pervious parking options and rough proportionality analysis.	Project Dates: 2/5/09: P&Z formed Platting Requirements and Standards Subcommittee 3/10/09: Phase 2 Kickoff meeting held in Council Chambers at 3:00pm
Staff Assigned: JS, AG, BC	Completed: Phase 2 (1st Quarter); Anticipated Completion: Phase 2 (3rd Quarter); Phase 3 (4th Quarter)

Parkland Dedication	
Summary: Council Initiative. Review ordinance and make updates to it regarding parkland dedication fees to reflect cost of development and requirements for community parks.	Project Dates: 12/11/08: Council adopted ordinance which increased fees and added requirements related to community parks. 2/5/09: P&Z considered Community Park zones. 2/12/09: Council adopted Community Park zones.
Staff Assigned: Tony Cisneros	Completed: 1st Quarter

Tree Ordinance	
Summary: Council Initiative. Draft ordinance to implement tree preservation and protections standards.	Project Dates: 4/23/09: Council Workshop regarding ordinance direction 5/19/09: Special Council meeting for public hearing at 4:30pm to gather input.
Staff Assigned: MR, CH	Anticipated Completion: 1st Quarter (Council discussion); 2nd Quarter (ordinance consideration)

Connectivity	
Summary: P&Z initiative. Review of Connectivity Report/Study and evaluation of possible policies, criteria and/or ordinances to facilitate all transportation modes.	Project Dates: 6/04/09 Item at P&Z Workshop
Staff Assigned: JG	Anticipated Completion: 2nd Quarter

Non-residential Architecture Standards (NRA) Revisions	
Summary: Council Initiative. Revise UDO to emphasize parking screening consisting of berms instead of solely landscaping, as well as other revisions.	Project Dates: 5/21/09: P&Z consideration of ordinance amendment 6/11/09: Council consideration of ordinance amendment
Staff Assigned: LK	Anticipated Completion: 2nd Quarter

Impact Fees	
Summary: Council Initiative. Conduct analysis of implementing city-wide transportation impact fees and other utility impact fees. Item includes background on impact fees and funding mechanisms.	Project Dates:
Staff Assigned: AG	Anticipated Completion: 3rd Quarter

Impact Studies	
Summary: P&Z Initiative. Education and discussion of feasibility of utilizing impact studies to help guide development decisions - to include Economic, Environmental and Community impact studies.	Project Dates:
Staff Assigned: P&DS Staff	Anticipated Completion: 3rd Quarter

Traffic Impact Analysis	
Summary: Council Initiative. Propose amendment to UDO so TIA requirements will also apply to single family residential developments.	Project Dates: 10/23/08: Council adopted revised TIA ordinance which excluded single family; Council directed Staff to create ordinance to incorporate them.
Staff Assigned: P&DS Staff	Anticipated Completion: 4th Quarter

Planned Development Districts	
Summary: Council Initiative. Review planned development procedures for PDD and P-MUD districts and survey other ordinances to identify ways to increase their effectiveness and use in the rezoning process.	Project Dates:
Staff Assigned: P&DS Staff	Anticipated Completion: 4th Quarter

Outreach & Communications

Joint Subcommittee with City of Bryan P&Z	
Summary: P&Z initiative. Explore and seek opportunities for partnership and consistent standards for gateways and corridors common to College Station and Bryan.	Project Dates: 4/30/09: Final Subcommittee Report presented at joint P&Z meeting with Bryan P&Z.
Staff Assigned: JS	Completed: 2nd Quarter

Community Education about Zoning Issues, Processes, etc	
Summary: P&DS Business Plan Initiative. Provide additional methods and forums to disseminate planning information, processes, and issues.	Project Dates:
Staff Assigned: P&DS Staff	Anticipated Completion: Ongoing

Outreach & Education via Channel 19 and Website	
Summary: P&DS Business Plan Initiative. Enhance the availability and effectiveness of communication planning information and activities on the City's cable channel and website.	Project Dates:
Staff Assigned: P&DS Staff	Anticipated Completion: Ongoing

Pending Items

Greenways	
Summary: P&Z Initiative. Discuss ways to encourage greenway dedication and development, particularly with commercial development.	Project Dates:
Staff Assigned: P&DS Staff	Anticipated Completion: Not Scheduled

Contextual Residential Standards	
Summary: P&Z Initiative. Explore potential building mass, setback, and standards for residential structures in relation to the context in which they are placed.	Project Dates:
Staff Assigned: P&DS Staff	Anticipated Completion: Not Scheduled

Park Development	
Summary: P&Z Initiative. In collaboration with Parks Board, discuss how neighborhood and community parks serve the community and challenges in park funding and maintenance.	Project Dates:
Staff Assigned: P&DS Staff	Anticipated Completion: Not Scheduled

Parking Ordinance Update	
Summary: P&Z Initiative. Survey peer cities and evaluate parking standards for different types of uses, particularly standards for shopping centers.	Project Dates:
Staff Assigned: P&DS Staff	Anticipated Completion: Not Scheduled

Neighborhood Fencing	
Summary: P&Z initiative. Develop fencing and landscaping options for neighborhood perimeter fencing to reduce the "canyon effect" along City streets.	Project Dates:
Staff Assigned: P&DS Staff	Anticipated Completion: Not Scheduled

Affordability of Housing	
Summary: P&Z Initiative. Discuss how housing affordability is measured and provide information on affordability of home in the College Station and Bryan housing markets.	Project Dates:
Staff Assigned: P&DS Staff	Anticipated Completion: Not Scheduled

Employment Zoning	
Summary: P&Z Initiative. Evaluate zoning districts for permitted service/industrial based uses and identify land use characteristics for appropriate placement.	Project Dates:
Staff Assigned: P&DS Staff	Anticipated Completion: Not Scheduled

Alleys and Related Parking Issues	
Summary: P&Z Initiative. Evaluate the standards for alleys and the potential for traffic circulation and parking issues.	Project Dates:
Staff Assigned: P&DS Staff	Anticipated Completion: Not Scheduled

Density Control	
Summary: P&Z Initiative. Evaluate the implications that location of density has on City services and quality of life.	Project Dates:
Staff Assigned: P&DS Staff	Anticipated Completion: Not Scheduled

Sidewalk Fund	
Summary: P&Z Initiative. Explore feasibility of creating fund for fee-in-lieu of sidewalk when waiver is granted.	Project Dates:
Staff Assigned: P&DS Staff	Anticipated Completion: Not Scheduled

Sign Ordinance Review	
Summary: P&Z Initiative. Review existing sign requirements and survey signage resulting from ordinance.	Project Dates:
Staff Assigned: P&DS Staff	Anticipated Completion: Not Scheduled

Phasing of Developments	
Summary: P&Z Initiative. Evaluate the impact of the phasing of developments and review the process for establishing phases.	Project Dates:
Staff Assigned: P&DS Staff	Anticipated Completion: Not Scheduled

Gating of Developments	
Summary: P&Z Initiative. Review requirements for gating residential developments and discuss their implications.	Project Dates:
Staff Assigned: P&DS Staff	Anticipated Completion: Not Scheduled

Anticipated Completion of 2009 P&Z Plan of Work Items

Items	Initiated by:	Quarter:			
		1st	2nd	3rd	4th
Community & Neighborhood Planning					
Comprehensive Plan Phase 2	Council		X		
Annexation	Council			X	X
Neighborhood Integrity	Council	ü		X	
Historic Preservation	Council	ü		X	
Bicycle, Pedestrian, and Greenways Master Plan	Council			X	
Neighborhood/Corridor/District Plans	Council	X		X	
Data Collection & Analysis					
Economic Statistics and Data	P&Z	X			
Development Trends	P&Z	X			
Development Services					
Subdivision Regulations	Council & P&Z	ü		X	X
Parkland Dedication	Council	ü			
Tree Ordinance	Council	X	X		
Connectivity	P&Z		X		
Non-residential Architecture Standards (NRA) Revisions	Council		X		
Impact Fees	Council			X	
Impact Studies	P&Z			X	
Traffic Impact Analysis	Council				X
Planned Development Districts	Council				X
Outreach & Communications					
Joint Subcommittee with City of Bryan P&Z	P&Z		ü		
Outreach & Education via Channel 19 and Website	Staff				
Community Education about Zoning Issues, Process, etc	Staff				
Mid-Year Review of Plan of Work at June 4th P&Z	Staff			X	
Pending Items					
Greenways	P&Z				
Contextual Residential Standards	P&Z				
Park Development	P&Z				
Parking Ordinance update	P&Z				
Neighborhood Fencing	P&Z				
Affordability of Housing	P&Z				
Employment Zoning	P&Z				
Alleys and Related Parking Issues	P&Z				
Density Control	P&Z				
Sidewalk Fund	P&Z				
Sign Ordinance Review	P&Z				
Phasing of Developments	P&Z				
Gating of Developments	P&Z				

X - Anticipated Completion

ü - Item Completed



MINUTES
PLANNING AND ZONING COMMISSION
Workshop Meeting
Thursday, April 2, 2009,
at 6:30 p.m.
City Hall Council Chambers
1101 Texas Avenue
College Station, Texas

COMMISSIONERS PRESENT: John Nichols, Noel Bauman, Doug Slack, Winnie Garner, Hugh Stearns, Thomas Woodfin, and Paul Greer

COMMISSIONERS ABSENT: None

CITY COUNCIL MEMBERS PRESENT: Dennis Maloney

CITY STAFF PRESENT: Senior Planner Jennifer Prochazka, Staff Planners Lauren Hovde, Jason Schubert, and Matt Robinson, Graduate Civil Engineer Erika Bridges, Assistant City Engineer Josh Norton, Senior Assistant City Engineer Carol Cotter, City Engineer Alan Gibbs, Transportation Planning Coordinator Joe Guerra, Planning Administrator Molly Hitchcock, Assistant Director Lance Simms, First Assistant City Attorney Carla Robinson, Action Center Representative Carrie McHugh, and Staff Assistant Nicole Padilla

1. Call the meeting to order.

Chairman John Nichols called the meeting to order at 6:30 p.m.

2. Discussion of consent and regular agenda items.

There was general discussion regarding Consent Agenda items 3.3 and 3.4.

3. Presentation, possible action, and discussion regarding an update to the Commission on the status of items within the 2009 P&Z Plan of Work (see attached). **(JS)**

Jason Schubert, Staff Planner, gave an update regarding the 2009 P&Z Plan of Work.

Commissioner Woodfin requested a population density map.

Chairman Nichols recessed the meeting at 7:00 p.m.

Chairman Nichols reconvened the meeting at 8:35 p.m.

4. Presentation and discussion regarding a UDO Amendment of Section 7.4, "Signs" and Section 11.2, "Defined Terms". **(LH)**

Lauren Hovde, Staff Planner, presented the proposed revisions to Section 7.4 and 11.2 of the UDO. She answered questions from the Commissioners.

5. Presentation, possible action, and discussion on maps reflecting zoning and Comprehensive Plan amendments and site plan and plat submissions. **(BC)**

Bob Cowell, Director of Planning and Development Services, made a presentation of the maps that were made by the request of the Commissioners.

6. Presentation, possible action, and discussion regarding an update on the following item(s):

- A Rezoning of 2.419 acres from A-O, Agricultural-Open, to C-3, Light Commercial at 2937 Barron Cut-off Road generally located at the southwest corner of William D. Fitch Parkway and Barron Road. The Planning & Zoning Commission heard this item on February 19, and voted 5-1 to recommend approval. The City Council heard this item on March 12, and voted 7-0 to approve the rezoning request.
- A Rezoning of 1.5 acres from A-O, Agricultural-Open, to R-1, Single-Family Residential at 2716 Barron Road located approximately 500 feet east of the intersection with William D. Fitch Parkway. The Planning & Zoning Commission heard this item on February 19, and voted 6-0 to recommend approval. The City Council heard this item on March 12, and voted 7-0 to approve the rezoning request.
- A Rezoning from R-1, Single-Family Residential and R-6, High Density Multi-Family to PDD, Planned Development District for 3.198 acres located at 1600, 1600A, 1604, 1606A, 1608A, 1624, 1624A, 1626, 1626A, 1626B Park Place and more generally located east of Scandia Apartments. The Planning & Zoning Commission heard this item on February 19, and voted 6-0 to recommend approval with the condition that pedestrian access be provided from the proposed street to Park Place. The City Council heard this item on March 12, and voted 7-0 to approve the rezoning request as recommended by the Commission.

Chairman Nichols reviewed the items.

7. Presentation, possible action, and discussion regarding the P&Z Calendar of Upcoming Meetings.

- ✓ April 9, 2009 ~ City Council Meeting ~ Council Chambers ~ 7:00 p.m.
- ✓ April 15, 2009 ~ Joint Meeting with City Council, P&Z, and CPAC ~ Conference Center Room 127 ~ 5:00 p.m.
- ✓ April 16, 2009 ~ P&Z Meeting ~ Council Chambers ~ Workshop 6:00 p.m. and Regular 7:00 p.m.
- ✓ April 30, 2009 ~ Joint Meeting with Bryan P&Z ~ Bryan Council Chambers ~ Time TBD

Director Cowell reviewed the upcoming meeting dates for the Planning & Zoning Commission.

8. Presentation, possible action, and discussion regarding the Comprehensive Planning process.

There was no discussion.

9. Presentation, possible action, and discussion regarding the Bicycle, Pedestrian, and Greenways Plan.

There was no discussion.

10. Discussion, review and possible action regarding the following meetings: Design Review Board, Council Transportation Committee, Joint College Station P&Z/Bryan P&Z Committee on Common Gateways and Corridors, Joint Parks/Planning and Zoning Subcommittee, Wolf Pen Creek Oversight Committee, Platting Requirements and Standards Subcommittee.

Commissioner Woodfin gave an update on items discussed at the Joint Parks/Planning and Zoning Subcommittee Meeting.

11. Discussion and possible action on future agenda items – A Planning and Zoning Member may inquire about a subject for which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.

None

12. Adjourn.

Commissioner Stern motioned to adjourn the meeting. Commissioner Woodfin seconded the motion, motion passed (7-0).

Meeting adjourned at 9:06 p.m.

Approved:

John Nichols, Chairman
Planning and Zoning Commission

Attest:

Nicole Padilla, Staff Assistant
Planning and Development Services



MINUTES
PLANNING AND ZONING COMMISSION
Regular Meeting
Thursday, April 2, 2009,
at 7:00 p.m.
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COMMISSIONERS PRESENT: John Nichols, Noel Bauman, Doug Slack, Winnie Garner, Hugh Stearns, Thomas Woodfin, and Paul Greer

COMMISSIONERS ABSENT: None

CITY COUNCIL MEMBERS PRESENT: Dennis Maloney

CITY STAFF PRESENT: Senior Planner Jennifer Prochazka, Staff Planners Lauren Hovde, Jason Schubert, and Matt Robinson, Graduate Civil Engineer Erika Bridges, Assistant City Engineer Josh Norton, Senior Assistant City Engineer Carol Cotter, City Engineer Alan Gibbs, Transportation Planning Coordinator Joe Guerra, Planning Administrator Molly Hitchcock, Assistant Director Lance Simms, First Assistant City Attorney Carla Robinson, Action Center Representative Carrie McHugh, and Staff Assistant Nicole Padilla

1. Call Meeting to Order.

Chairman John Nichols called the meeting to order at 7:05 p.m.

2. Hear Citizens.

None

3. **Consent Agenda.**

- 3.1 Consideration, discussion, and possible action to approve meeting Minutes.

- March 4, 2009 ~ Special Meeting

- 3.2 Presentation, possible action, and discussion on a Preliminary Plat for the Wellborn Landing Subdivision consisting of two lots on 4.59 acres located at the corner of FM 2154 and McCullough Road in the City of College Station's Extraterritorial Jurisdiction. **Case #09-00500046 (MR)**

- 3.3 Presentation, possible action, and discussion on a Final Plat for The Cottages of College Station Subdivision, Phase 1, consisting of two lots on 57.82 acres,

located at 1430 Harvey Mitchell Parkway South, generally located across from Holleman Drive. **Case #09-00500054 (JS)**

- 3.4 Presentation, possible action, and discussion on a Final Plat for the Saddle Creek Subdivision Phases 3 and 5, consisting of 26 lots on 38.75 acres, located at 5449 Stousland Road, generally located near the Duck Haven Subdivision, approximately one mile south of Greens Prairie Road in the City's Extraterritorial Jurisdiction. **Case #08-00500331 (LH)**

Commissioner Bauman motioned to approve all of the consent agenda items. Commissioner Greer seconded the motion, motion passed (7-0).

Regular Agenda

1. Consideration, discussion, and possible action on items removed from the Consent Agenda by Commission action.

No items were removed.

2. Public hearing, presentation, possible action, and discussion regarding a Rezoning of 2.47 acres from A-O, Agricultural-Open, to C-1, General Commercial at 4074 State Highway 6 and more generally located south of Bridle Gate Drive. **Case #09-00500048 (MR)**

Matt Robinson, Staff Planner, presented the rezoning and recommended approval. He stated that the applicant intended to make paving improvements.

There was general discussion regarding the drainage in the area and whether the additional paving would increase drainage.

Jeff Robertson, McClure & Browne Engineering, addressed the Commissioners' concerns of drainage and stated that he did not believe it would increase drainage by much.

Dahlis Waller, 2707 Pinehurst, Bryan, TX, owner of adjacent property, addressed her concerns of buffer requirements and the need for such, drainage, and future ramifications for rezoning this property.

There was general discussion of buffer requirements and further discussion of the drainage issues.

Commissioner Stearns motioned to approve the rezoning with the condition that the screening requirements of Section 7.6.f.3 and 7.6.f.4 of the UDO on the south side of the property are met. Commissioner Bauman seconded the motion; motion passed (7-0).

3. Presentation, possible action, and discussion on a petition that a Comprehensive Plan Amendment request be considered within 180 days of an amendment request being

denied by City Council for the property generally located at the northwest corner of William D. Fitch Parkway and Barron Road. **Case #08-00500255 (MH)**

Jane Kee, IPS Group, advised the Commissioners that the applicant had decided to pull the item from the Agenda.

4. Presentation, possible action, and discussion regarding the application and processing of comprehensive plan amendments. **(BC)**

Director Cowell gave an update and presentation on the comprehensive plan amendments and the options of processing these proposed amendments in the future.

There was general discussion and no action was taken.

5. Discussion and possible action on future agenda items – A Planning and Zoning Member may inquire about a subject for which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.

Chairman Nichols requested that Workshop meetings in the future all be held at 6:00 p.m. to guarantee ample time for discussion.

6. Adjourn.

Commissioner Woodfin motioned to adjourn the meeting. Commissioner Greer seconded the motion, motioned passed (7-0).

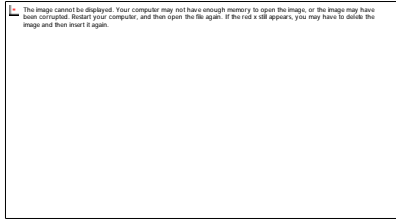
Meeting adjourned at 8:32 p.m.

Approved:

John Nichols, Chairman
Planning and Zoning Commission

Attest:

Nicole Padilla, Staff Assistant
Planning and Development Services



MINUTES
PLANNING AND ZONING COMMISSION
Workshop Meeting
Thursday, May 7, 2009,
at 6:00 p.m.
City Hall Council Chambers
1101 Texas Avenue
College Station, Texas

COMMISSIONERS PRESENT: John Nichols, Noel Bauman, Paul Greer, Doug Slack, Thomas Woodfin, and Hugh Stearns

COMMISSIONERS ABSENT: Winnie Garner

CITY COUNCIL MEMBERS PRESENT: David Ruesink

CITY STAFF PRESENT: Senior Planners Jennifer Prochazka and Lindsay Kramer, Staff Planners Jason Schubert, Lauren Hovde, Matt Robinson, Graduate Civil Engineer Erika Bridges, Assistant City Engineer Josh Norton, Senior Assistant City Engineer Carol Cotter, City Engineer Alan Gibbs, Transportation Planning Coordinator Joe Guerra, Planning Administrator Molly Hitchcock, Director Bob Cowell, Assistant, Director Lance Simms, First Assistant City Attorney Mary Ann Powell, Action Center Representative Kerry Mullins, and Staff Assistant Brittany Caldwell

1. Call the meeting to order.

Chairman John Nichols called the meeting to order 6:04 p.m.

2. Discussion of consent and regular agenda items.

There was general discussion regarding Regular Agenda items 5 and 6.

3. Discussion of Minor and Amending Plats approved by Staff.

- Final Plat - Replat - Gateway Subdivision Phase 1, Block 1, Lot 9R - Case #09-00500030.

There was no discussion.

4. Presentation, possible action, and discussion regarding an update to the Commission on the status of items within the 2009 P&Z Plan of Work (see attached). (JS)

Jason Schubert, Staff Planner, gave an update regarding the 2009 P&Z Plan of Work.

5. Presentation, possible action, and discussion regarding the P&Z Calendar of Upcoming Meetings.

✓ Monday, May 18, 2009 ~ City Council Meeting ~ Council Chambers ~ 7:00 p.m.

✓ May 21, 2009 ~ P&Z Meeting ~ Council Chambers ~ Workshop 6:00 p.m. and Regular 7:00 p.m.

Director Cowell reviewed the upcoming meeting dates for the Planning & Zoning Commission.

6. Presentation, possible action, and discussion regarding the Comprehensive Planning process.

Director Cowell reviewed the procedures of action that should be taken on the Comprehensive Plan and discussed the decision-making process.

7. Presentation, possible action, and discussion regarding the Bicycle, Pedestrian, and Greenways Plan.

Commissioner Woodfin gave an update regarding the Bicycle, Pedestrian, and Greenways Technical Task Force Meeting.

8. Discussion, review and possible action regarding the following meetings: Design Review Board, Council Transportation Committee, Joint College Station P&Z/Bryan P&Z Committee on Common Gateways and Corridors, Joint Parks/Planning and Zoning Subcommittee, Wolf Pen Creek Oversight Committee, Platting Requirements and Standards Subcommittee

Commissioner Slack gave an update regarding the Council Transportation Committee.

9. Discussion and possible action on future agenda items – A Planning and Zoning Member may inquire about a subject for which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.

None

10. Adjourn.

Commissioner Bauman motioned to adjourn the meeting. Commissioner Stearns seconded the motion, motion passed (6-0).

Meeting adjourned at 6:53 p.m.

Approved:

John Nichols, Chairman
Planning and Zoning Commission

Attest:

Brittany Caldwell, Staff Assistant
Planning and Development Services

DRAFT



MINUTES
PLANNING AND ZONING COMMISSION
Regular Meeting
Thursday, May 7, 2009,
at 7:00 p.m.
City Hall Council Chambers
1101 Texas Avenue
College Station, Texas

COMMISSIONERS PRESENT: John Nichols, Noel Bauman, Paul Greer, Doug Slack, Thomas Woodfin, and Hugh Stearns

COMMISSIONERS ABSENT: Winnie Garner

CITY COUNCIL MEMBERS PRESENT: David Ruesink, Lynn McIlhaney, and Larry Stewart

CITY STAFF PRESENT: Senior Planners Jennifer Prochazka and Lindsay Kramer, Staff Planners Jason Schubert, Lauren Hovde, Matt Robinson, Graduate Civil Engineer Erika Bridges, Assistant City Engineer Josh Norton, Senior Assistant City Engineer Carol Cotter, City Engineer Alan Gibbs, Transportation Planning Coordinator Joe Guerra, Planning Administrator Molly Hitchcock, City Manager Glenn Brown, Director Bob Cowell, Assistant, Director Lance Simms, First Assistant City Attorney Mary Ann Powell, Action Center Representative Kerry Mullins, and Staff Assistant Brittany Caldwell

1. Call meeting to order.

Chairman John Nichols called the meeting to order at 7:00 p.m.

2. Hear Citizens.

None.

3. **Consent Agenda.**

- 3.1 Consideration, discussion and possible action on Absence Requests from meetings.

- Paul Greer ~ March 19, 2009
- Winnie Garner ~ April 15, 2009
- Thomas Woodfin ~ April 15, 2009 and April 16, 2009
- Noel Bauman ~ April 16, 2009

3.2 Consideration, discussion, and possible action to approve meeting Minutes.

- April 16, 2009 ~ Workshop
- April 16, 2009 ~ Regular

Commissioner Bauman motioned to approve Consent Agenda items 3.1 and 3.2. Commissioner Stearns seconded the motion, motion passed (6-0).

Regular Agenda

4. Consideration, discussion, and possible action on items removed from the Consent Agenda by Commission action.

No items were removed from the Consent Agenda.

5. Public hearing, presentation, possible action, and discussion on a Final Plat of Horse Haven Estates Subdivision Phase 5 consisting of 5 lots on 1.184 acres and being a replat of a portion of Horse Haven Estates Subdivision Phase 3 located at 2744 Horseback Drive and generally located southeast of the existing Horse Haven Estates Subdivision. **Case #08-00500160 (LK)**

Lindsay Kramer, Senior Planner, presented the replat and recommended approval with the condition that staff review comments were met.

Chairman Nichols opened the public hearing.

Greg Taggart, Adams, Taggart & Associates, stated that he was available for questions.

Sherry Ellison, 2705 Brookway Drive, stated that the roads needed to be wide enough for horse trailers to drive thru.

Chairman Nichols closed the public hearing.

Commissioner Greer motioned to approve the replat with the condition that staff review comments were met. Commissioner Bauman seconded the motion, motion passed (6-0).

6. Public hearing, presentation, possible action, and discussion on a Final Plat of the F.S. Kapchinski Subdivision consisting of 14 lots on 2.956 acres and consisting of a replat of a portion of F.S. Kapchinski Subdivision generally located northeast of the intersection of Park Place and Anderson Street. **Case #08-00500314 (LK)**

Lindsay Kramer, Senior Planner, presented the replat and recommended approval.

Commissioner Stearns asked if the issues with flooding on Pamela Chmelar's property had been corrected.

Josh Norton, Assistant City Engineer, stated that the applicant had been working with the property owner to resolve the issue. He said that the surrounding lots may have to be graded to avoid additional flooding.

Chairman Nichols opened the public hearing.

No one spoke during the public hearing.

Chairman Nichols closed the public hearing.

Commissioner Bauman motioned to approve the replat. Commissioner Woodfin seconded the motion, motion passed (6-0).

7. Public hearing, presentation, possible action, and discussion regarding an ordinance adopting the revised City of College Station Comprehensive Plan. The Plan affects properties located within the City of College Station and properties within five miles of the city limits of College Station. The revised Comprehensive Plan includes, but is not limited to, an updated Thoroughfare Plan Map and an updated Land Use Plan Map. **(JP)**

Director Cowell and Senior Planner Jennifer Prochazka presented the ordinance regarding the revised City of College Station Comprehensive Plan.

Commissioner Greer stated that faith-based organizations needed to be included in Section 2 of the Community Character Chapter. He also stated that West Texas A&M University District needed to be changed to west of Texas A&M University when referring to the Health Science Center area.

Chairman Nichols opened the public hearing.

Robert Carter, Houston, Texas; Sherry Ellison, 2705 Brookway Drive, College Station, Texas; Brian Bochner, 5111 Bellerive Bend, College Station, Texas; Veronica Morgan, 511 University Drive Ste 204. The citizens were mainly in favor of the ordinance, but had concerns with the Thoroughfare Plan map, churches being listed as suburban commercial, and uses being allowed near residential areas that aren't neighborhood friendly. Mr. Carter asked for the Commission's support of the redevelopment of his property located at 1010, 1012 and 1014 Welsh Avenue.

Chairman Nichols closed the public hearing.

Commissioner Slack expressed concern about future water needs.

Commissioner Bauman stated that water safety needed to be mentioned in the Comprehensive Plan.

Commissioner Stearns motioned to recommend approval of the revised Comprehensive Plan with the addition of minor changes which include two land use plan map changes, the addition of the "faith-based" organization discussion into the land use chapter, re-naming the West Texas A&M University District, and

amending the Thoroughfare Plan to address awkward intersections. Commissioner Greer seconded the motion, motion passed (6-0).

8. Discussion and possible action on future agenda items – A Planning and Zoning Member may inquire about a subject for which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.

None

9. Adjourn.

Commissioner Greer motioned to adjourn the meeting. Commissioner Stearns seconded the motion, motion passed (6-0).

Meeting adjourned at 9:35 p.m.

Approved:

John Nichols, Chairman
Planning and Zoning Commission

Attest:

Brittany Caldwell, Staff Assistant
Planning and Development Services



**FINAL PLAT
FOR
CSISD COLLEGE HILLS ELEMENTARY (FP)
09-00500079**

SCALE: 1 lot on 16.066 acres

LOCATION: 1101 Williams Street

ZONING: R-1 Single Family Residential

APPLICANT: Veronica Morgan, Mitchell & Morgan, LLP, agent for owner

PROJECT MANAGER: Jason Schubert, AICP, Staff Planner
jschubert@cstx.gov

RECOMMENDATION: Approval



DEVELOPMENT HISTORY

Annexation: 1949

Zoning: R-1 Single Family Residential (upon annexation)

Preliminary Plat: The subject property was developed prior to the subdivision regulations and is considered a lot of record. The proposed final plat clarifies that Williams Street is a private street owned by College Station ISD and dedicates additional easements related to the development of the new school buildings.

Site Development: The subject property is developed as the College Hills Elementary School and new school buildings to replace the existing structures are currently being constructed.

COMMENTS

Parkland Dedication: The subject plat is for a non-residential lot so no parkland dedication is required.

REVIEW CRITERIA

Compliance with Subdivision Regulations: The subject plat is in compliance with the subdivision regulations.

STAFF RECOMMENDATIONS

Staff recommends approval.

SUPPORTING MATERIALS

1. Application
2. Copy of Final Plat (provided in packet)



FOR OFFICE USE ONLY	
P&Z CASE NO.:	<u>09-500079</u>
DATE SUBMITTED:	<u>4-15-09</u>

Kg 4:00

FINAL PLAT APPLICATION

(Check one)	<input type="checkbox"/> Minor (\$300.00)	<input type="checkbox"/> Amending (\$300.00)	<input checked="" type="checkbox"/> Final (\$400.00)	<input type="checkbox"/> Vacating (\$400.00)	<input type="checkbox"/> Replat (\$600.00)*
*Includes public hearing fee					
Is this plat in the ETJ? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			Is this plat Commercial <input checked="" type="checkbox"/> or Residential <input type="checkbox"/>		
MINIMUM SUBMITTAL REQUIREMENTS:					
<u>N/A</u> \$300 - \$600 Filing Fee (see above) NOTE: Multiple Sheets - \$55.00 per additional sheet					
<u>N/A</u> \$100 Variance Request to Subdivision Regulations (if applicable)					
<u>N/A</u> \$200 Development Permit Application Fee (if applicable).					
<u>N/A</u> \$600.00 Infrastructure Inspection Fee (applicable if any public infrastructure is being constructed)					
<u>X</u> Application completed in full. This application form provided by the City of College Station must be used and may not be adjusted or altered. Please attach pages if additional information is provided.					
<u>X</u> Fourteen (14) folded copies of plat. (A signed Mylar original must be submitted after approval.)					
<u>N/A</u> Copy of original deed restrictions/covenants for replats (if applicable).					
<u>N/A</u> Title report for property current within ninety (90) days or accompanied by a Nothing Further Certificate current within ninety (90) days. The report must include applicable information such as ownership, liens, encumbrances, etc.					
<u>N/A</u> Paid tax certificates from City of College Station, Brazos County and College Station I.S.D.					
<u>N/A</u> Proof of parkland dedication consideration by the Parks & Recreation Board or Parks & Recreation Department (if applicable).					
<u>X</u> A copy of the attached checklist with all items checked off or a brief explanation as to why they are not.					
<u>N/A</u> Two (2) copies of public infrastructure plans associated with this plat (if applicable).					
NOTE: A mylar of the approved preliminary plat must be on file before a final plat application will be considered complete. If the mylar is submitted with the final plat application, it shall be considered a submittal for the preliminary plat project and processed and reviewed as such. Until the mylar has been confirmed by staff to be correct, the final plat application will be considered incomplete.					

Date of Optional Preapplication Conference: N/A

NAME OF SUBDIVISION COLLEGE HILLS ELEMENTARY SCHOOL SUBDIVISION

SPECIFIED LOCATION OF PROPOSED SUBDIVISION (Lot & Block) LOT 1, BLOCK 1

APPLICANT/PROJECT MANAGER'S INFORMATION (Primary Contact for the Project):

Name MITCHELL & MORGAN, LLP C/O VERONICA J.B. MORGAN, P.E., C.F.M.
Street Address 511 UNIVERSITY DR. E., SUITE 204 City COLLEGE STATION
State TX Zip Code 77840 E-Mail Address V@MITCHELLANDMORGAN.COM
Phone Number (979) 260-6963 Fax Number (979) 260-3564

PROPERTY OWNER'S INFORMATION (ALL owners must be identified. Please attach an additional sheet for multiple owners):

Name COLLEGE STATION INDEPENDENT SCHOOL DISTRICT C/O JON HALL
Street Address 1812 WELSH DRIVE City COLLEGE STATION
State TX Zip Code 77840 E-Mail Address JHALL@CSISD.ORG
Phone Number (979) 694-5660 Fax Number N/A

ARCHITECT OR ENGINEER'S INFORMATION:

Name VLK ARCHITECTS C/O STEVE ALLOWAY
 Street Address 7915 FM 1960 WEST City HOUSTON
 State TX Zip Code 77070 E-Mail Address ALLOWAY@VLKARCHITECTS.COM
 Phone Number (281) 671-2300 Fax Number N/A

Do any deed restrictions or covenants exist for this property? Yes No X

Is there a temporary blanket easement on this property? If so, please provide the Volume YES and Page # UNKNOWN

Acreage ~ Total Property 16.066 ACRES Total # of Lots 1 R-O-W Acreage 0 (PRIVATE)

Existing Use: SCHOOL Proposed Use: SCHOOL

Number of Lots By Zoning District 1 / R-1 / /

Average Acreage Of Each Residential Lot By Zoning District

N/A / / / /

Floodplain Acreage 2.95 acres

A statement addressing any differences between the Final Plat and Preliminary Plat (if applicable):

NONE

Requested Variances To Subdivision Regulations & Reason For Same: NONE

Requested Oversize Participation: NONE

**Total Linear Footage of
Proposed Public:**

0 Streets
0 Sidewalks
0 Sanitary Sewer Lines
0 Water Lines
0 Channels
0 Storm Sewers
0 Bike Lanes / Paths

ALL INFRASTRUCTURE WAS SITE PLAN
RELATED.

Parkland Dedication due prior to filing the Final Plat:

ACREAGE:

N/A No. of acres to be dedicated + \$ N/A development fee
N/A No. of acres in floodplain
N/A No. of acres in detention
N/A No. of acres in greenways

OR

FEE IN LIEU OF LAND:

N/A No. of SF Dwelling Units X \$ = \$
N/A (date) Approved by Parks & Recreation Advisory Board

NOTE: DIGITAL COPY OF PLAT MUST BE SUBMITTED PRIOR TO FILING.

The applicant has prepared this application and certifies that the facts stated herein and exhibits attached herein are true, correct, and complete. IF THIS APPLICATION IS FILED BY ANYONE OTHER THAN THE OWNER OF THE PROPERTY, this application must be accompanied by a power of attorney statement from the owner. If there is more than one owner, all owners must sign the application or the power of attorney. If the owner is a company, the application must be accompanied by proof of authority for the company's representative to sign the application on its behalf. LIEN HOLDERS identified in the title report are also considered owners and the appropriate signatures must be provided as described above.

Don E. Hall
 Signature and Title
 DIRECTOR OF CONSTRUCTION SERVICES
 CSISD

4.15.09
 Date



**FINAL PLAT
FOR
SPRING CREEK COMMONS PH 4 & 5 (FP)
09-00500083**

SCALE: 10 commercial lots on 24.588 acres

LOCATION: 4451 State Hwy. 6 S, generally located at the northeast corner of the intersection of State Hwy. 6 and William D. Fitch Pkwy.

ZONING: C-1 General Commercial with OV Corridor Overlay on the majority of the property

APPLICANT: Natalie Ruiz, IPS Group, agent for the owner

PROJECT MANAGER: Jason Schubert, AICP, Staff Planner
jschubert@cstx.gov

RECOMMENDATION: Approval with the condition that the attached Staff Review Comments are addressed.

DEVELOPMENT HISTORY

Annexation:	1983
Zoning:	C-1, General Commercial (1997 with 100-buffer area along northeastern property line); OV, Corridor Overlay on majority of the property (2006)
Preliminary Plat:	Three preliminary plats have been previously approved by the Planning & Zoning Commission for this property. The first was approved in October 2005 which proposed to subdivide the property into five lots over four phases and the second in August 2007 for eight lots in five phases. The third and current preliminary plat was approved in September 2008 and proposes fifteen lots over five phases. The first three phases of the subdivision have received final plat approval and are filed for record. This final plat represents the last two phases of the subdivision.
Site Development:	The subject property is currently undeveloped and vacant.

COMMENTS

Parkland Dedication:	The subject plat is for non-residential lots so parkland dedication is not required.
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REVIEW CRITERIA

Compliance with Subdivision Regulations: With the approval of the most recent preliminary plat in September 2008, the Planning & Zoning Commission approved a variance to not require 20-foot wide easements along the rear of all lots, with 10 feet from each lot where the rear of the lots abut each other. The final plat provides the easements necessary to serve utilities to all lots. With the plat a portion of Lakeway Drive, a major collector, will be dedicated and constructed which will connect William D. Fitch Pkwy to Lakeway Drive in Phase 3 to the north. The plat is in compliance with the approved preliminary plat and the subdivision regulations except for the attached Staff Review Comments which will need to be addressed before the plat can be filed for record.

STAFF RECOMMENDATIONS

Staff recommends approval with the condition that the attached Staff Review Comments are addressed.

SUPPORTING MATERIALS

1. Application
2. Staff Review Comments
3. Copy of Final Plat (provided in packet)



DRAFT-04-27

FOR OFFICE USE ONLY
 P&Z CASE NO.: 04-80
 DATE SUBMITTED: 4-20-09

10:05 AM

FINAL PLAT APPLICATION

(Check one) ☐ Minor (\$300.00) ☐ Amending (\$300.00) ☒ Final (\$400.00) ☐ Vacating (\$400.00) ☐ Replat (\$600.00)*

Is this plat in the ETJ? ☐ Yes ☒ No Is this plat Commercial ☒ or Residential ☐ *Includes public hearing fee

MINIMUM SUBMITTAL REQUIREMENTS:

☒ \$300 - \$600 Filing Fee (see above) NOTE: Multiple Sheets - \$55.00 per additional sheet

☒ \$100 Variance Request to Subdivision Regulations (if applicable)

☒ \$200 Development Permit Application Fee (if applicable).

☒ \$600.00 Infrastructure Inspection Fee (applicable if any public infrastructure is being constructed)

☒ Application completed in full. This application form provided by the City of College Station must be used and may not be adjusted or altered. Please attach pages if additional information is provided.

☒ Fourteen (14) folded copies of plat. (A signed Mylar original must be submitted after approval.)

☒ Copy of original deed restrictions/covenants for replats (if applicable).

☒ Title report for property current within ninety (90) days or accompanied by a Nothing Further Certificate current within ninety (90) days. The report must include applicable information such as ownership, liens, encumbrances, etc.

☒ Paid tax certificates from City of College Station, Brazos County and College Station I.S.D.

☒ Proof of parkland dedication consideration by the Parks & Recreation Board or Parks & Recreation Department (if applicable).

☒ A copy of the attached checklist with all items checked off or a brief explanation as to why they are not.

☒ Two (2) copies of public infrastructure plans associated with this plat (if applicable).

NOTE: A mylar of the approved preliminary plat must be on file before a final plat application will be considered complete. If the mylar is submitted with the final plat application, it shall be considered a submittal for the preliminary plat project and processed and reviewed as such. Until the mylar has been confirmed by staff to be correct, the final plat application will be considered incomplete.

Date of Optional Preapplication Conference:

NAME OF SUBDIVISION SPRING CREEK Commons
 SPECIFIED LOCATION OF PROPOSED SUBDIVISION (Lot & Block) LOTS 1-8, Bk 1, Lot 1, Bk 2

APPLICANT/PROJECT MANAGER'S INFORMATION (Primary Contact for the Project):

Name NATALIE FULLER, PFS GROUP
 Street Address 511 UNIVERSITY E. STE. 205 City COLLEGE STATION
 State TX Zip Code 77840 E-Mail Address NATALIE@PFSGROUP.COM
 Phone Number 979-346-9259 Fax Number 979-260-3564

PROPERTY OWNER'S INFORMATION (ALL owners must be identified. Please attach an additional sheet for multiple owners):

Name FRANK Mihalopoulos-CORINTH-GHOS & GREEN PRAIRIE L.P.
 Street Address 41045 N. CENTRAL EXPY 200 KNOX TOW DALLAS
 State TX Zip Code 75205 E-Mail Address FRANK@CORINTHPROPERTIES.COM
 Phone Number 214-219-5600 Fax Number 214-219-5606

ARCHITECT OR ENGINEER'S INFORMATION:

Name DARREL KOTZUR - BALLAGH DRAINAGE ENG.
 Street Address 3815 OLD BULLARD ROAD City TYLER
 State TX Zip Code 75701 E-Mail Address DARREL@BDRDRAINAGE.COM
 Phone Number 903-531-9800 Fax Number 903-531-9800

Do any deed restrictions or covenants exist for this property? Yes No ☒

Is there a temporary blanket easement on this property? If so, please provide the Volume 2915 and Page # 420

Acreage - Total Property 24.588 Total # of Lots 10 R-O-W Acreage 1.922 AC.

Existing Use: VACANT Proposed Use: COMMERCIAL

Number of Lots By Zoning District 10 10-1 W/10V 1 1

Average Acreage Of Each Residential Lot By Zoning District:

N/A 1 1 1 1

Floodplain Acreage 0

A statement addressing any differences between the Final Plat and Preliminary Plat (if applicable):

NONE

Requested Variances To Subdivision Regulations & Reason For Same: NONE

Requested Oversize Participation: SEE ATTACHED REQUEST

Total Linear Footage of Proposed Public:

1096' Streets
2172' Sidewalks
0' Sanitary Sewer Lines
1205' Water Lines
0' Channels
66' Storm Sewers
1096' Bike Lanes / Paths
2172'

Parkland Dedication due prior to filing the Final Plat:

ACREAGE:

 No. of acres to be dedicated + \$ development fee
☒ No. of acres in floodplain
☒ No. of acres in detention
 No. of acres in greenways

OR

FEE IN LIEU OF LAND:

☒ No. of SF Dwelling Units X \$ = \$
 (date) Approved by Parks & Recreation Advisory Board

NOTE: DIGITAL COPY OF PLAT MUST BE SUBMITTED PRIOR TO FILING.

The applicant has prepared this application and certifies that the facts stated herein and exhibits attached hereto are true, correct, and complete. IF THIS APPLICATION IS FILED BY ANYONE OTHER THAN THE OWNER OF THE PROPERTY, this application must be accompanied by a power of attorney statement from the owner. If there is more than one owner, all owners must sign the application or the power of attorney. If the owner is a company, the application must be accompanied by proof of authority for the company's representative to sign the application on its behalf. LIEN HOLDERS identified in the title report are also considered owners and the appropriate signatures must be provided as described above.

Signature and Title [Signature]

Date

As part of this submission, we ²⁰¹⁶ ARE RE-FILEING & CONTINUING THE OBJECTION SET FORTH IN THE APPEAL DATED 10/1/08 - COM. APP.

STAFF REVIEW COMMENTS NO. 2

Project: SPRING CREEK COMMONS PH 4 & 5 (FP) - 09-00500083

PLANNING

1. To be consistent with Sheet 1 of 2, change lot numbers on Sheet 2 of 2 from Lot 6 to Lot 7, Lot 7 to Lot 8, and Lot 8 to Lot 10.
2. Revise the Certificate of County Clerk to begin with "I, Karen McQueen, County Clerk. . ." or place a blank in the place of Karen McQueen.
3. Since the plat consists of two pages, increase the font size of the "SHEET NO. 1 of 2" and "SHEET NO. 2 of 2" labels at the bottom right so that they are more predominant.
4. Remove the reference to the file name given on the bottom right of the sheets as well as remove all other title boxes along the right edge of the sheets. Only the "Final Plat" title box should remain.
5. The public infrastructure required as part of this plat is to be constructed and accepted by the City or a Guarantee of Performance provided, as described in UDO Section 8.6.B, before the plat can be filed for record at the Courthouse.

Reviewed by: Jason Schubert

Date: May 8, 2009

ENGINEERING COMMENTS NO. 2

1. Please change the proposed 20 foot Public Drainage Easement needs to be changed to a Public Utility Easement.
2. Please provide at least a 15 foot Public Utility Easement along the entire western right-of-way boundary of Lakeway Drive, in order to provide adequate easement for the proposed 12 inch water main along Lakeway Drive. No additional easement is needed for the area covered by easement noted in Comment 1.
3. It is our understanding that the Producer's Gas Co. 30' Pipeline Easement was abandoned per Vol. 8780, Pg. 01. Please make this note on the final plat.
4. Please revise the note to state that the proposed 23' Cross Access Easement shall be privately owned and maintained by the POA. As it appears, this is the only private easement illustrated on this plat.

Reviewed by: Josh Norton

Date: May 8, 2009



**FINAL PLAT
FOR
BARRACKS SUBDIVISION PH 2 (FP)
09-00500071**

SCALE: 50 residential lots on 5.012 acres

LOCATION: Generally located off of Rock Prairie Road West between Jones-Butler Road and Wellborn Rd. Adjacent to Block 2 & 3 of the Barracks Phase 1.

ZONING: R-3, Townhouse

APPLICANT: Wallace Phillips

PROJECT MANAGER: Matthew Hilgemeier, Staff Planner
mhilgemeier@cstx.gov

RECOMMENDATION: Approval



DEVELOPMENT HISTORY

Annexation: 2002
Zoning: A-O Agricultural Open to R-3 Townhouse (2008)
Preliminary Plat: The Barracks Subdivision (2008)
Site Development: Townhomes, the Barracks Common Area

COMMENTS

Parkland Dedication: Parkland dedication was approved administratively by fee-in-lieu of land dedication at a rate of \$731.00 per lot for 50 new lots. No action is required by the Planning and Zoning Commission.

REVIEW CRITERIA

Compliance with Subdivision Regulations: The plat is in compliance with the minimum standards of the City's Subdivision Regulations and the Preliminary Plat.

STAFF RECOMMENDATIONS

Staff recommends approval of the Final Plat.

SUPPORTING MATERIALS

1. Application
2. Copy of Final Plat (provided in packet)



CITY OF COLLEGE STATION
Planning & Development Services

DP#
09.100024

FOR OFFICE USE ONLY

P&Z CASE NO.: 09.71

DATE SUBMITTED: 4/1/09

9.13
9/5

FINAL PLAT APPLICATION

(Check one)	<input type="checkbox"/> Minor (\$300.00)	<input type="checkbox"/> Amending (\$300.00)	<input checked="" type="checkbox"/> Final (\$400.00)	<input type="checkbox"/> Vacating (\$400.00)	<input type="checkbox"/> Replat (\$600.00)*
*Includes public hearing fee					
Is this plat in the ETJ? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			Is this plat Commercial <input type="checkbox"/> or Residential <input checked="" type="checkbox"/>		
MINIMUM SUBMITTAL REQUIREMENTS:					
<input checked="" type="checkbox"/> \$300 - \$600 Filing Fee (see above) NOTE: Multiple Sheets - \$55.00 per additional sheet					
<input checked="" type="checkbox"/> \$100 Variance Request to Subdivision Regulations (if applicable)					
<input checked="" type="checkbox"/> \$200 Development Permit Application Fee (if applicable).					
<input checked="" type="checkbox"/> \$600.00 Infrastructure Inspection Fee (applicable if any public infrastructure is being constructed)					
<input checked="" type="checkbox"/> Application completed in full. This application form provided by the City of College Station must be used and may not be adjusted or altered. Please attach pages if additional information is provided.					
<input checked="" type="checkbox"/> Fourteen (14) folded copies of plat. (A signed Mylar original must be submitted after approval.)					
<input checked="" type="checkbox"/> Copy of original deed restrictions/covenants for replats (if applicable).					
<input checked="" type="checkbox"/> Title report for property current within ninety (90) days or accompanied by a Nothing Further Certificate current within ninety (90) days. The report must include applicable information such as ownership, liens, encumbrances, etc.					
<input checked="" type="checkbox"/> Paid tax certificates from City of College Station, Brazos County and College Station I.S.D.					
<input checked="" type="checkbox"/> Proof of parkland dedication consideration by the Parks & Recreation Board or Parks & Recreation Department (if applicable).					
<input checked="" type="checkbox"/> A copy of the attached checklist with all items checked off or a brief explanation as to why they are not.					
<input checked="" type="checkbox"/> Two (2) copies of public infrastructure plans associated with this plat (if applicable).					
NOTE: A mylar of the approved preliminary plat must be on file before a final plat application will be considered complete. If the mylar is submitted with the final plat application, it shall be considered a submittal for the preliminary plat project and processed and reviewed as such. Until the mylar has been confirmed by staff to be correct, the final plat application will be considered incomplete.					

Date of Optional Preapplication Conference: November 14, 2007

NAME OF SUBDIVISION The Barracks Subdivision - Phase 2

SPECIFIED LOCATION OF PROPOSED SUBDIVISION (Lot & Block) Adjacent to Block 243 of Phase 1

APPLICANT/PROJECT MANAGER'S INFORMATION (Primary Contact for the Project):

Name Wallace Phillips
Street Address 4490 Castlegate Drive City College Station
State TX Zip Code 77845 E-Mail Address wallace.phillips@verizon.net
Phone Number 690-7250 Fax Number 690-1041

PROPERTY OWNER'S INFORMATION (ALL owners must be identified. Please attach an additional sheet for multiple owners):

Name Greens Prairie Investors, Ltd
Street Address 4490 Castlegate Drive City College Station
State TX Zip Code 77845 E-Mail Address wallace.phillips@verizon.net
Phone Number 690-7250 Fax Number 690-1041

ARCHITECT OR ENGINEER'S INFORMATION:

Name Harle Engineering Company - Joe Schultz, P.E.
 Street Address 3002 ~~So~~ Texas Avenue South City College Station
 State TX Zip Code 77845 E-Mail Address joeschultz84@verizon.net
 Phone Number 693-7191 Fax Number 693-7191

Do any deed restrictions or covenants exist for this property? Yes ☐ No ☒

Is there a temporary blanket easement on this property? If so, please provide the Volume 8790 and Page # 293

Acreage - Total Property 5.012 Total # of Lots 50 R-O-W Acreage 1.091

Existing Use: Vacant Proposed Use: Townhouses

Number of Lots By Zoning District 50 / R-3 1 1 1

Average Acreage Of Each Residential Lot By Zoning District:

0.073 / R-3 1 1 1

Floodplain Acreage 0

A statement addressing any differences between the Final Plat and Preliminary Plat (if applicable):

~~None~~ Several lot lines were adjusted - Lots 25 & 26, Block 2
and lots 18 & 19 Block 2

Requested Variances To Subdivision Regulations & Reason For Same: None

Requested Oversize Participation: None

**Total Linear Footage of
Proposed Public:**

899 Streets
986 Sidewalks
742 Sanitary Sewer Lines
398 Water Lines 791'
68 Channels
1602 Storm Sewers
0 Bike Lanes / Paths

Parkland Dedication due prior to filing the Final Plat:

ACREAGE:

 No. of acres to be dedicated + \$ development fee
 No. of acres in floodplain
 No. of acres in detention
 No. of acres in greenways

OR

FEE IN LIEU OF LAND:

50 No. of SF Dwelling Units X \$ 731 = \$ 36,550.00
4/29/09 (date) Approved by Parks & Recreation Advisory Board

NOTE: DIGITAL COPY OF PLAT MUST BE SUBMITTED PRIOR TO FILING.

The applicant has prepared this application and certifies that the facts stated herein and exhibits attached hereto are true, correct, and complete. IF THIS APPLICATION IS FILED BY ANYONE OTHER THAN THE OWNER OF THE PROPERTY, this application must be accompanied by a power of attorney statement from the owner. If there is more than one owner, all owners must sign the application or the power of attorney. If the owner is a company, the application must be accompanied by proof of authority for the company's representative to sign the application on its behalf. LIEN HOI DFRS identified in the title report are also considered owners and the appropriate signatures must be provided as described above.

Walter Phillip Manager 3-30-09
 Signature and Title Date



**REZONING REQUEST
FOR
WEINGARTEN TRACT-8.76 ACRES
09-00500055**

REQUEST: A-O Agricultural-Open to C-1 General Commercial

SCALE: 8.76 acres

LOCATION: Generally located along the east side of State Highway 6, south of its intersection with Rock Prairie Road

APPLICANTS: Weingarten Realty Investors

PROJECT MANAGER: Jennifer Prochazka, AICP, Senior Planner
jprochazka@cstx.gov

RECOMMENDATION: Denial



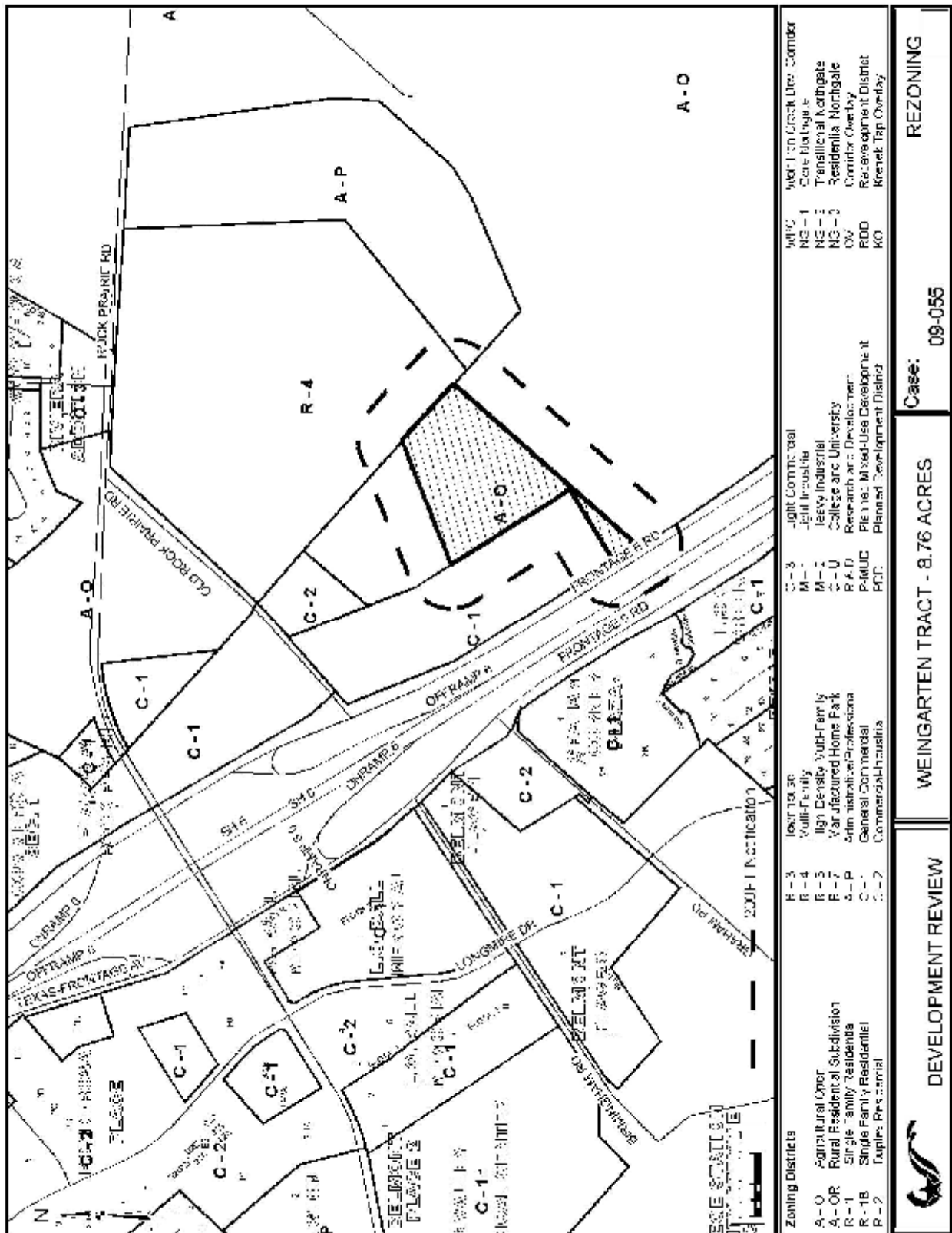
REZONING

Case: 09-055

WEINGARTEN TRACT - 8.76 ACRES

DEVELOPMENT REVIEW





NOTIFICATIONS

Advertised Commission Hearing Date: May 21, 2009

Advertised Council Hearing Dates: June 25, 2009

The following neighborhood organizations that are registered with the City of College Station's Neighborhood Services have received a courtesy letter of notification of this public hearing:

Wilshire HOA
Foxfire HOA
Chadwick HOA
Amberlake HOA
Shadow Crest HOA
Stonebridge HOA
Stonebridge Court HOA
Sandstone HOA

Property owner notices mailed: 3

Contacts in support: None as of date of staff report

Contacts in opposition: 1 as of date of staff report – concerns included traffic impact to the area, incompatible land uses, and a degradation of quality of life for the nearby residential neighborhoods.

Inquiry contacts: None as of date of staff report

ADJACENT LAND USES

Direction	Proposed Comprehensive Plan	Current Comprehensive Plan	Zoning	Land Use
North	General Suburban, Suburban Commercial & General Commercial	Regional Retail & Institutional	R-4 Multi-family, A-O Agricultural Open	Rural, vacant
South	General Commercial, Natural Areas Reserved	Single-Family Medium Density, Residential Attached, Floodplain & Streams	A-O Agricultural Open	Rural, vacant
East	General Suburban	Single-Family Medium Density	A-O Agricultural Open, A-P Administrative Professional	Rural, vacant
West	General Commercial	Regional Retail	C-1 General Commercial	Rural, vacant

DEVELOPMENT HISTORY

Annexation: 1983

Zoning: A-O Agricultural-Open upon annexation
Final Plat: Unplatted. Included in the Rock Prairie Market Place Master Plan (2008)
Site development: Vacant

REVIEW CRITERIA

1. **Consistency with the Comprehensive Plan:** The Comprehensive Plan primarily designates the subject property as Retail Regional, with a very small portion designated as Residential Attached and Single-Family Residential Medium Density on the Land Use Plan. The stated purpose of the Regional Retail land use designation is to provide for areas permitting regional scale development of tax-generating developments such as retail centers, service commercial, restaurants, etc. General commercial uses are generally dependent on good access to highways and major arterials. Based on this description, the C-1 General Commercial district, which is intended to allow general commercial uses such as retail sales and services for the regional community, would be an appropriate zoning district to implement the current Land Use Plan. C-3 Light Commercial, A-P Administrative Professional, and PDD Planned Development District are also appropriate districts to implement the Comprehensive Plan's Retail Regional designation

Rock Prairie Road is designated as a major arterial in this area. State Highway 6, a Freeway on the Thoroughfare Plan, is located adjacent to the property to the west.

2. **Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood:** Generally, the C-1 General Commercial zoning district allows for the development of retail sales and service uses that function to serve the entire community and its visitors. As such, the proposed zoning is generally compatible with the C-1 zoned property located adjacent to the subject property along State Highway 6 that is currently undeveloped. Adjacent properties to the south are largely zoned A-O Agriculture-Open, a holding zone placed on the properties at the time of annexation. Adjacent property to the west was recently rezoned C-1 General Commercial along the State Highway 6 Frontage Road.

Previously, representatives of nearby neighborhoods have voiced concerns about proposed commercial developments in close proximity to existing residential neighborhoods. The primary concerns have focused on a potential lack of compatibility of the land uses and an increase in traffic congestion in the area. While the subject property is not located adjacent to an existing neighborhood, it is part of a larger development tract that is in the area of influence of a number of neighborhoods.

3. **Suitability of the property affected by the amendment for uses permitted by the district that would be made applicable by the proposed amendment:** The property is located along the State Highway 6 Frontage Road, south of the grade-separated intersection with Rock Prairie Road, a major arterial on the City's Thoroughfare Plan. Rezoning the subject property to C-1 General Commercial could allow it to be developed in conjunction with the approximately 26-acre C-1 property located at the corner of the intersection (and extending south along the Frontage Road). In total, the development could include approximately 35 acres of land. Additionally, C-1 zoning for another 35 acres

has also been requested by the applicant. If approved, the potential size of the general commercial development in this area could exceed 70 acres in size.

This has been identified by the Fire Department as an area that is located within the 2.5 mile ladder truck response area, but is not located in a 1.5 mile engine response area. In general, fire service facilities are lacking on the east side of the Bypass, resulting in increased response times.

Utility and transportation infrastructure do not currently exist to serve a development of this intensity. The general suitability of the land for development, including a discussion of the availability of water, wastewater and transportation infrastructure is included in Review Criteria #6. No FEMA floodplain exists on the property.

4. **Suitability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment:** A portion of the property is currently zoned A-O Agricultural Open. In this area, the A-O district is used as a holding zone for property that is projected in the Comprehensive Plan for conversion to more intensive urban uses at such time as the need for the uses is present and when it is possible to adequately serve development with necessary infrastructure and public services. While the permitted uses in A-O, including low density residential, agricultural or open space uses, are generally compatible with residential development, not all agricultural uses may be appropriate on the property due its location and the level of development that has occurred in the area. Generally, the uses permitted in the A-O district are less intense, generate less traffic, and have lower utility demands than C-1 uses. A-O uses generally have fewer service, infrastructure and facility needs. The property is generally suitable for A-O uses.

This has been identified by the Fire Department as an area that is located within the 2.5 mile ladder truck response area, but is not located in a 1.5 mile engine response area. In general, fire service facilities are lacking on the east side of the Bypass, resulting in increased response times.

Utility and transportation infrastructure do not currently exist to serve a development of this intensity. The general suitability of the land for development, including a discussion of the availability of water, wastewater and transportation infrastructure is included in Review Criteria #6. No FEMA floodplain exists on the property.

5. **Marketability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment:** The existing zoning allows the property to be marketed for residential and agricultural uses. The proposed rezoning would generally allow for the property, in conjunction with the adjacent 26-acre tract, to be marketed for large-scale retail development.

A market analysis of the subject property has not been provided to the City; however, the existing A-O district permits agricultural, residential, and institutional uses, which are consistent with other existing uses found along the east side of the Bypass.

6. **Availability of water, wastewater, stormwater, and transportation facilities generally suitable and adequate for the proposed use:** There are existing water lines along State

Highway 6 and Rock Prairie Road that can adequately provide water to this area. Required Water Master Plan lines also affect this property and will need to be designed and constructed in conjunction with the development of the property.

There are existing 8" and 12" sanitary sewer lines near the State Highway 6 and Rock Prairie Road intersection. Required Sewer Master Plan lines also affect this property, and will need to be designed and constructed in conjunction with the development of the property. The existing Comprehensive Plan policies state that the City should promote the use of vacant land in existing sewershed areas where City infrastructure and services are readily available in order to avoid costs to the City of providing extended services.

The City is currently in the process of updating its utility master plans. This property is currently planned to gravity flow to the Lick Creek Wastewater Treatment Plant to the south; however, the infrastructure, including sewer collection lines, is not yet in place to support this. While the existing sanitary sewer lines in this area were not designed to include capacity for this property, it may be possible for the property to be served by the existing 8" line that sewers to the north (Carter Creek Wastewater Treatment Plant). In order to sewer to the sewershed to the north, an interim lift station would be required to be constructed and maintained. A City owned and operated lift station would not be a best value to City ratepayers because of future operation and maintenance concerns and the inability to serve additional customers via gravity flows to the lift station. The most preferred option for the development of the property is to be served by a gravity sanitary sewer line, and not a lift station.

The property is surrounded by State Highway 6 and Rock Prairie Road. State Highway 6 is classified on the City's Thoroughfare Plan as Freeway/Expressway and Rock Prairie Road is classified as a Major Arterial, although it is currently constructed to a rural collector standard. Access to the property will be from Rock Prairie Road.

College Station's Unified Development Ordinance (UDO) requires the development and submittal of a Traffic Impact Analysis (TIA) to help inform the Planning & Zoning Commission and City Council on the question of Rezoning. In accordance with this requirement, the applicant submitted a TIA that complies with the requirements outlined in Section 7.12.D.3 of the UDO (Zoning TIA Content) for the combined 44.6 acres currently under consideration for rezoning to C-1 General Commercial.

The TIA concludes that the current system cannot operate at the minimum Level of Service -LOS D- once the subject property is developed. In compliance with the requirements of the UDO, the applicant has proposed to mitigate the impacts through roadway improvements. However, some of the proposed mitigation techniques may not be acceptable to the City, including a four-way signalized intersection at Stonebrook Drive and Rock Prairie Road – a primary entrance to a single-family neighborhood. A four-way intersection at this location was recently and intentionally removed from the Thoroughfare Plan with the adoption of the East College Station Transportation Study. Additionally, the proposed mitigation fails to address all of the service impacts associated with the development. Further discussion of proposed mitigation can be found at the end of this section.

Below is a summary of the findings of the TIA, including a comparison of the existing Levels of Service in the area and the LOS after proposed mitigation measures are constructed.

Intersection Level of Service

INTERSECTION	EXISTING LOS	MITIGATED LOS
Rock Prairie at Stonebrook	A	C
Rock Prairie at SH 6 Northbound FR	C	D
Rock Prairie at SH 6 Southbound FR	B	D
Rock Prairie at Longmire	C	D
Rock Prairie at Rio Grande	B	B
Rock Prairie at Welsh	A	B
Rock Prairie at New Prvt Collector		C
New Prvt Collector at SH 6 Northbound FR		C

LOS is ranked from A to F, with A being the highest service level and F being the lowest. In general, LOS D is considered the minimum LOS that is acceptable. The above chart demonstrates that while meeting the minimum LOS (average of the intersection), most of the intersections in the area experience a degradation in service (post-mitigation).

LOS of an intersection is determined by the movements contributing to that intersection. Each traffic movement was analyzed and, in accordance with standard practices, an average was taken for the intersection as a whole, regardless of whether one of the traffic movements was below the acceptable LOS D. For example, if the through movement was rated as an F and the right-turn movements and left-turn movements were rated as an A and B, then the average LOS would be a B. Even though the through lane was failing, the intersection as a whole appears to exceed the minimum LOS required.

As one example, even after mitigation, the intersection of Rock Prairie Road at Longmire Drive has several movements that will significantly degrade in service after mitigation. Queue lengths (the length of autos waiting to enter the intersection) for the individual traffic movements that were identified at unacceptable LOS were extensive. The eastbound through movement queue length was 517 feet (21 vehicles) with a LOS E for that traffic individual movement. However, the average LOS for the intersection as a whole is shown to be a D.

Intersection: Rock Prairie Road at Longmire Drive

MOVEMENT	EXISTING LOS	MITIGATED LOS
Eastbound Left	C	C
Eastbound Through	B	E
Westbound Left	C	F
Westbound Through	B	C
Northbound Left	D	F
Northbound Through	C	D
Northbound Right	A	A
Southbound Left	C	E
Southbound Through	D	E
Southbound Right	A	A

There are several other similar issues noted elsewhere in the TIA.

The proposed mitigation based on the findings of the TIA includes the following:

- § Construct a 4-lane collector road (backage road)
- § Construct a new eastbound lane on Rock Prairie Road from State Highway 6 Northbound Frontage Road to Stonebrook Drive (widening of Rock Prairie Road by adding a lane)
- § Right-in and right-out only movements at intersection of new four-lane private collector and Rock Prairie Road
- § Construct a four-way intersection at Rock Prairie Road and Stonebrook Drive (proposed signalized access point to the development)
- § Construct a 150-foot right-turn lane at the eastbound lane to State Highway 6 southbound Frontage Road (at Rock Prairie and State Highway 6 southbound Frontage Road). Modify pavement markings

- § Construct a 150-foot right-turn lane on State Highway 6 southbound Frontage Road on to westbound Rock Prairie Road. Modify pavement markings on Rock Prairie Road eastbound to provide one left-turn lane and two through lanes.

STAFF RECOMMENDATION

Based on the Review Criteria stated in the UDO and noted in this Staff Report, staff recommends denial of the requested rezoning to C-1 General Commercial because:

- § The proposed rezoning is incompatible with the present zoning and conforming uses of nearby property and with the character of the nearby residential subdivisions.
- § The property affected by the amendment is not suitable for the uses permitted by the district that would be made applicable by the proposed rezoning.
- § The property affected by the amendment is suitable for uses permitted by the district applicable to the property at this time of the proposed amendment.
- § The property affected by the amendment remains marketable for the uses permitted by the districts applicable to the property at the time of the proposed amendment.
- § Current wastewater and transportation infrastructure and facilities are generally not suitable and adequate for the proposed use.

SUPPORTING MATERIALS

1. Application
2. Rezoning map (provided in packet)



FOR OFFICE USE ONLY	
CASE NO.	<u>04-070</u>
DATE SUBMITTED	<u>8-25-09</u>

ZONING MAP AMENDMENT (REZONING) APPLICATION

MINIMUM SUBMITTAL REQUIREMENTS

If a petition for rezoning is denied by the City Council, another application for rezoning shall not be filed within a period of 180 days from the date of denial, except with permission of the Planning & Zoning Commission or City Council. The following items must be submitted by an established filing deadline date for consideration:

- ☒ Application completed in full.
- ☒ \$500 Application fee
- ☒ Two (2) copies of a fully dimensioned map on 24" x 36" paper showing:
 - a. Land affected;
 - b. Legal description of area of proposed change;
 - c. Present zoning;
 - d. Zoning classification of all abutting land; and
 - e. All public and private rights-of-way and easements bounding and intersecting subject land.
- ☒ Written legal description of subject property (metes & bounds or lot & block of subdivision, whichever is applicable).
- ☒ A CAD (dwg) - model space State Plane NAD 83 or GIS (shp) digital file (e-mailed to P&ZSDigital@csx.gov).
- ☒ The Rezoning Supporting information sheet completed in full.

Date of Required Preapplication Conference: June 3, 2008 and May 31, 2008

APPLICANT'S INFORMATION:

Name Weingarten / Investments, Inc.
Street Address 2600 Citadel Plaza Drive
City Houston State TX Zip Code 77002
E-Mail Address estymosa@weingarten.com
Phone Number 713-860-6188 Fax Number 713-860-7227

PROPERTY OWNER'S INFORMATION:

Name Weingarten Realty Investors
Street Address 2600 Citadel Plaza Drive City Houston
State TX Zip Code 77002 E-Mail Address appraxos@weingarten.com
Phone Number 713-860-6188 Fax Number 713-860-7227

This property was conveyed to owner by deed dated See Attached and recorded in Volume _____
Page _____ of the Brazos County Deed Records.

General Location of Property: Southeast corner of Rock Prairie Road and HWY 8.

Address of Property / Legal Description: See attached legal description

Acreage - Total Property: 8.16 acres

Existing Zoning: A-C Proposed Zoning: S-1

Present Use of Property: existing and vacant church building

Proposed Use of Property: Retail Center

PROPERTY OWNERS (as shown on the attached site exhibit)

1. Weingarten/Investments, Inc (17.213 acres)
2600 Citadel Plaza Drive
Houston, TX 77008

Volume 8948, Page 46, D.R.B.C.T.
2. Weingarten/Investments, Inc. (part of 19.175 acres)
2600 Citadel Plaza Drive
Houston, TX 77008

Volume 7488, Page 248, D.R.B.C.T.
3. Weingarten/Investments, Inc (part of 5.6 acres)
2600 Citadel Plaza Drive
Houston, TX 77008

Volume 7488, Page 256, D.R.B.C.T.
4. Weingarten/Investments, Inc. (part of 7.16 acres)
2600 Citadel Plaza Drive
Houston, TX 77008

Volume 7680, Page 227, D.R.B.C.T.
5. Weingarten/Investments, Inc. (part of the 7.475 acres)
2600 Citadel Plaza Drive
Houston, TX 77008

Volume 7282, Page 72, D.R.B.C.T.
6. Weingarten/Investments, Inc. (part of 5.92 acres)
2600 Citadel Plaza Drive
Houston, TX 77008

Volume 7310, Page 98, D.R.B.C.T.
7. Weingarten/Investments, Inc. (part of 4.315 acres)
2600 Citadel Plaza Drive
Houston, TX 77008

Volume 7583, Page 108, D.R.B.C.T.

REZONING SUPPORTING INFORMATION

- 1) List the changed or changing conditions in the area or in the City which make this zone change necessary.

The Comprehensive Plan has shown the land in this application as Regional Retail and the applicant has purchased all the tracts and seeks to zone the property to C-1 Commercial which will put the zoning into compliance with the Comprehensive Plan. The property is located at the intersection of a major highway and major arterial street. The property location is compatible with other commercial uses at the intersection. The site currently contains a mixture of zoning classifications including A-O, R-4 and C-2, which is not in compliance with the Comprehensive Plan.

- 2) Indicate whether or not this zone change is in accordance with the Comprehensive Plan. If it is not, explain why the Plan is incorrect.

The zoning change is in accordance with the Comprehensive Plan.

- 3) How will this zoning change be compatible with the present zoning and conforming uses of nearby property and with the character of the neighborhood?

The southwest corner of Rock Prairie Road and SH 6 is a retail shopping center anchored by Kroger and includes many restaurants and other retail shops. The land is zoned C-1. The northwest corner of Rock Prairie Road and SH 6 is also zoned C-1 and features including a gas station and hotel. The northeast corner of Rock Prairie Road and SH 6 is also zoned C-1 and has uses of retail operators, restaurants and a hotel. The zoning request made here will be compatible with all of these existing retail commercial uses and with the zoning change will place the land in compliance with the Comprehensive Plan.

- 4) Explain the suitability of the property for uses permitted by the rezoning requested.

The property is located along a major state highway and major city arterial road which will allow traffic to circulate efficiently with minimum impacts to the surrounding retail uses. The allowed uses under the zoning request will service the needs of the citizens and City as planned for and represented in the Comprehensive Plan.

- 5) Explain the suitability of the property for uses permitted by the current zoning district.

A significant portion of the property included in this application is A-O Open Agriculture.
The A-O zoning basically only allows agriculture, government or religious uses. The land is located at an
intersection along a major state highway and a major city arterial road on its northern boundary, which
makes retail use the highest and best use of the property, as reflected by the City's own Comprehensive
Plan.

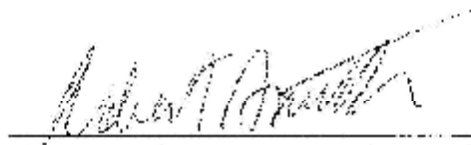
- 6) Explain the marketability of the property for uses permitted by the current zoning district.

The current zoning limits the marketability of the property because it cannot be developed for the highest
and best use, which the City's Comprehensive Plan correctly designates as Regional Retail.

- 7) List any other reasons to support this zone change.

The zoning request is in compliance with the Comprehensive Plan and is compatible with the surround
commercial uses at this intersection of major state highway and major City arterial road.

*The applicant has prepared this application and supporting information and certifies that the facts
stated herein and exhibits attached hereto are true and correct. IF APPLICATION IS FILED BY
ANYONE OTHER THAN THE OWNER OF THE PROPERTY, APPLICATION MUST BE
ACCOMPANIED BY A POWER OF ATTORNEY STATEMENT FROM THE OWNER.*


Signature of owner (or agent) or applicant

02/25/2009
Date



**REZONING REQUEST
FOR
WEINGARTEN TRACT-35.7 ACRES
09-00500056**

REQUEST: A-O Agricultural-Open, C-2 Commercial Industrial, and R-4 Multi-Family to C-1 General Commercial

SCALE: 35.70 acres

LOCATION: Generally located southeast of the intersection of State Highway 6 and Rock Prairie Road

APPLICANTS: Weingarten Realty Investors

PROJECT MANAGER: Jennifer Prochazka, AICP, Senior Planner
jprochazka@cstx.gov

RECOMMENDATION: Denial



NOTIFICATIONS

Advertised Commission Hearing Date: May 21, 2009

Advertised Council Hearing Dates: June 25, 2009

The following neighborhood organizations that are registered with the City of College Station's Neighborhood Services have received a courtesy letter of notification of this public hearing:

Wilshire HOA
Foxfire HOA
Chadwick HOA
Amberlake HOA
Shadow Crest HOA
Stonebridge HOA
Stonebridge Court HOA
Sandstone HOA

Property owner notices mailed: 7

Contacts in support: None as of date of staff report

Contacts in opposition: 1 as of date of staff report – concerns included traffic impact to the area, incompatible land uses, and a degradation of quality of life for the nearby residential neighborhoods.

Inquiry contacts: None as of date of staff report

ADJACENT LAND USES

Direction	Proposed Comprehensive Plan	Current Comprehensive Plan	Zoning	Land Use
North (across Rock Prairie Road)	Major Arterial (Suburban Commercial & General Suburban)	Major Arterial (Neighborhood Retail & Institutional)	(A-O Agricultural Open, C-3 Light Commercial)	Rock Prairie Road (Vacant, Riviera Day Spa)
South	General Commercial	Regional Retail	A-O Agricultural Open	Rural, vacant
East	General Suburban	Institutional	R-4 Multi-Family	Rural, vacant
West	General Commercial	Regional Retail	C-1 General Commercial	Rural, vacant

DEVELOPMENT HISTORY

Annexation: 1983 and 1995

Zoning: Annexed as A-O Agricultural-Open. A-O to C-2 Commercial Industrial in 1986; C-2 to R-5 Apartment/Medium Density in 1994; and R-5 renamed to R-4 Multi-Family in 2003

Final Plat: A portion of the property platted as Rock Prairie Heights in 2008
Site development: Largely vacant, with an on-site oil well

REVIEW CRITERIA

1. **Consistency with the Comprehensive Plan:** The City's current Comprehensive Plan designates the subject property as Retail Regional on the Land Use Plan and states that the purpose of the Regional Retail land use designation is to provide for areas permitting regional scale development of tax-generating developments such as retail centers, service commercial, restaurants, etc. General commercial uses are generally dependent on good access to highways and major arterials. Based on this description, the C-1 General Commercial district, which is intended to allow general commercial uses such as retail sales and services for the regional community, would be an appropriate zoning district to implement the current Land Use Plan. C-3 Light Commercial, A-P Administrative Professional, and PDD Planned Development District are also appropriate districts to implement the Comprehensive Plan's Retail Regional designation.

Rock Prairie Road is designated as a major arterial in this area. State Highway 6, a Freeway on the Thoroughfare Plan, is located adjacent to the property to the west.

2. **Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood:** Generally, the C-1 General Commercial zoning district allows for the development of retail sales and service uses that function to serve the entire community and its visitors. As such, the proposed zoning is generally compatible with the commercially zoned property located to the west. The property to the north, across Rock Prairie Road, is largely zoned A-O Agricultural Open and is undeveloped. At the entrance to the Woodcreek Subdivision, the Riviera Day Spa is zoned and developed as light commercial. While the C-1 designation is compatible with the light commercial in the area, it may not be compatible with the larger neighborhood to the north. Previously, representatives of nearby neighborhoods have voiced concerns about proposed commercial developments in close proximity to existing residential neighborhoods. The primary concerns have focused on a potential lack of compatibility of the land uses and an increase in traffic congestion in the area. The subject property is part of a larger development tract (approximately 70 acres) that is in the area of influence of a number of neighborhoods.

The property to the east is zoned A-O Agricultural-Open and is shown as Institutional on the Land Use Plan. This property is owned by the College Station Independent School District. At this time, there are no known development plans for the property.

3. **Suitability of the property affected by the amendment for uses permitted by the district that would be made applicable by the proposed amendment:** The property is located east of the grade-separated intersection of a freeway and a major arterial roadway. Rezoning the subject property to C-1 General Commercial could allow it to be developed in conjunction with the approximately 26-acre C-1 property located at the corner of the intersection (and extending south along the Frontage Road). In total, the development could include approximately 61 acres of land. Additionally, C-1 zoning for another 8.7 acres has also been requested by the applicant. If approved, the potential size of the general commercial development in this area could exceed 70 acres in size.

This has been identified by the Fire Department as an area that is located within the 2.5 mile ladder truck response area, but is not located in a 1.5 mile engine response area. In general, fire service facilities are lacking on the east side of the Bypass, resulting in increased response times.

Utility and transportation infrastructure do not currently exist to serve a development of this intensity. The general suitability of the land for development, including a discussion of the availability of water, wastewater and transportation infrastructure is included in Review Criteria #6. No FEMA floodplain exists on the property.

4. **Suitability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment:** A portion of the property is currently zoned A-O Agricultural Open. In this area, the A-O district is used as a holding zone for property that is projected in the Comprehensive Plan for conversion to more intensive urban use at such time as the need for the uses is present and when it is possible to adequately serve development with necessary infrastructure and public services. While the permitted uses in A-O, including low density residential, agricultural or open space uses, are generally compatible with residential development, not all agricultural uses may be appropriate on the property due to its location and the level of development that has occurred in the area. Generally, the uses permitted in the A-O district are less intense, generate less traffic, and have lower utility demands than C-1 uses. A-O uses generally have fewer service, infrastructure and facility needs. The property is generally suitable for A-O uses.

Another portion of the property is zoned C-2 Commercial Industrial. Commercial Industrial is a district that is designed to provide a location for businesses offering goods and services to a limited segment of the general public. The uses permitted in this district generally serve other commercial and industrial enterprises, and because of this, are not as reliant on high-visibility site locations. The portion of the property zoned C-2 does not have frontage on a public street. Generally, the uses permitted in the C-2 district generate about half of the traffic of C-1 uses. The property is generally suitable for C-2 uses.

A large portion of the subject property is zoned R-4 Multi-Family Residential. This portion of the subject property contains an active oil well that would need to be considered with any residential development plans. R-4 land uses generate approximately a quarter of the traffic generated by C-1 uses. The property is generally suitable for R-4 uses.

This has been identified by the Fire Department as an area that is located within the 2.5 mile ladder truck response area, but is not located in a 1.5 mile engine response area. In general, fire service facilities are lacking on the east side of the Bypass, resulting in increased response times.

Utility and transportation infrastructure do not currently exist to serve a development of this intensity. The general suitability of the land for development, including a discussion of the availability of water, wastewater and transportation infrastructure is included in Review Criteria #6. No FEMA floodplain exists on the property.

5. **Marketability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment:** The existing zoning allows the property to be marketed for residential and agricultural uses,

commercial industrial development, and multi-family development. The proposed rezoning would generally allow for the property, in conjunction with the adjacent 26-acre tract, to be marketed for large-scale retail development.

A market analysis of the subject property has not been provided to the City; however, the existing A-O and C-2 districts permit a mix of agricultural, residential, commercial, office, institutional, and light industrial uses, which are consistent with other uses found along the east side of the Bypass. The majority of the property is zoned R-4 Multi-Family and was platted in anticipation of a multi-family development in 2008 by the property owner. While, in general, this area of the City is not anticipated to develop as multi-family housing (based on the proposed Land Use Plan for the area), it can be assumed that the existing R-4 zoning on this portion of the property may still be viable from a market perspective, based on recent development actions by the property owner. In general, multi-family housing in College Station has very high occupancy rates, further indicating the strength of this market opportunity.

6. **Availability of water, wastewater, stormwater, and transportation facilities generally suitable and adequate for the proposed use:** There are existing water lines along State Highway 6 and Rock Prairie Road that can adequately provide water to this area. Required Water Master Plan lines also affect this property and will need to be designed and constructed in conjunction with the development of the property.

There are existing 8" and 12" sanitary sewer lines near the State Highway 6 and Rock Prairie Road intersection. Required Sewer Master Plan lines also affect this property, and will need to be designed and constructed in conjunction with the development of the property. The existing Comprehensive Plan policies state that the City should promote the use of vacant land in existing sewershed areas where City infrastructure and services are readily available in order to avoid costs to the City of providing extended services.

The City is currently in the process of updating its utility master plans. This property is currently planned to gravity flow to the Lick Creek Wastewater Treatment Plant to the south; however, the infrastructure, including sewer collection lines, is not yet in place to support this. While the existing sanitary sewer lines in this area were not designed to include capacity for this property, it may be possible for the property to be served by the existing 8" line that sewers to the north (Carter Creek Wastewater Treatment Plant). In order to sewer to the sewershed to the north, an interim lift station would be required to be constructed and maintained. A City owned and operated lift station would not be a best value to City ratepayers because of future operation and maintenance concerns and the inability to serve additional customers via gravity flows to the lift station. The most preferred option for the development of the property is to be served by a gravity sanitary sewer line, and not a lift station.

The property is surrounded by State Highway 6 and Rock Prairie Road. State Highway 6 is classified on the City's Thoroughfare Plan as Freeway/Expressway and Rock Prairie Road is classified as a Major Arterial, although it is currently constructed to a rural collector standard. Access to the property will be from Rock Prairie Road.

College Station's Unified Development Ordinance (UDO) requires the development and submittal of a Traffic Impact Analysis (TIA) to help inform the Planning & Zoning

Commission and City Council on the question of Rezoning. In accordance with this requirement, the applicant submitted a TIA that complies with the requirements outlined in Section 7.12.D.3 of the UDO (Zoning TIA Content) for the combined 44.6 acres currently under consideration for rezoning to C-1 General Commercial.

The TIA concludes that the current system cannot operate at the minimum Level of Service -LOS D- once the subject property is developed. In compliance with the requirements of the UDO, the applicant has proposed to mitigate the impacts through roadway improvements. However, some of the proposed mitigation techniques may not be acceptable to the City, including a four-way signalized intersection at Stonebrook Drive and Rock Prairie Road – a primary entrance to a single-family neighborhood. A four-way intersection at this location was recently and intentionally removed from the Thoroughfare Plan with the adoption of the East College Station Transportation Study. Additionally, the proposed mitigation fails to address all of the service impacts associated with the development. Further discussion of proposed mitigation can be found at the end of this section.

Below is a summary of the findings of the TIA, including a comparison of the existing Levels of Service in the area and the LOS after proposed mitigation measures are constructed.

Intersection Level of Service

INTERSECTION	EXISTING LOS	MITIGATED LOS
Rock Prairie at Stonebrook	A	C
Rock Prairie at SH 6 Northbound FR	C	D
Rock Prairie at SH 6 Southbound FR	B	D
Rock Prairie at Longmire	C	D
Rock Prairie at Rio Grande	B	B
Rock Prairie at Welsh	A	B
Rock Prairie at New Prvt Collector		C
New Prvt Collector at SH 6 Northbound FR		C

LOS is ranked from A to F, with A being the highest service level and F being the lowest. In general, LOS D is considered the minimum LOS that is acceptable. The above chart demonstrates that while meeting the minimum LOS (average of the intersection), most of the intersections in the area experience a degradation in service (post-mitigation).

LOS of an intersection is determined by the movements contributing to that intersection. Each traffic movement was analyzed and, in accordance with standard practices, an average was taken for the intersection as a whole, regardless of whether one of the traffic movements was below the acceptable LOS D. For example, if the through movement was rated as an F and the right-turn movements and left-turn movements were rated as an A and B, then the average LOS would be a B. Even though the through lane was failing, the intersection as a whole appears to exceed the minimum LOS required.

As one example, even after mitigation, the intersection of Rock Prairie Road at Longmire Drive has several movements that will significantly degrade in service after mitigation. Queue lengths (the length of autos waiting to enter the intersection) for the individual traffic movements that were identified at unacceptable LOS were extensive. The eastbound through movement queue length was 517 feet (21 vehicles) with a LOS E for that traffic individual movement. However, the average LOS for the intersection as a whole is shown to be a D.

Intersection: Rock Prairie Road at Longmire Drive

MOVEMENT	EXISTING LOS	MITIGATED LOS
Eastbound Left	C	C
Eastbound Through	B	E
Westbound Left	C	F
Westbound Through	B	C
Northbound Left	D	F
Northbound Through	C	D
Northbound Right	A	A
Southbound Left	C	E
Southbound Through	D	E
Southbound Right	A	A

There are several other similar issues noted elsewhere in the TIA.

The proposed mitigation based on the findings of the TIA includes the following:

- § Construct a 4-lane collector road (backage road)
- § Construct a new eastbound lane on Rock Prairie Road from State Highway 6 Northbound Frontage Road to Stonebrook Drive (widening of Rock Prairie Road by adding a lane)
- § Right-in and right-out only movements at intersection of new four-lane private collector and Rock Prairie Road
- § Construct a four-way intersection at Rock Prairie Road and Stonebrook Drive (proposed signalized access point to the development)
- § Construct a 150-foot right-turn lane at the eastbound lane to State Highway 6 southbound Frontage Road (at Rock Prairie and State Highway 6 southbound Frontage Road). Modify pavement markings
- § Construct a 150-foot right-turn lane on State Highway 6 southbound Frontage Road on to westbound Rock Prairie Road. Modify pavement markings on Rock Prairie Road eastbound to provide one left-turn lane and two through lanes.

STAFF RECOMMENDATION

Based on the Review Criteria stated in the UDO and noted in this Staff Report, staff recommends denial of the requested rezoning to C-1 General Commercial because:

- § The proposed rezoning is incompatible with the present zoning and conforming uses of nearby property and with the character of the nearby residential subdivisions.
- § The property affected by the amendment is not suitable for the uses permitted by the district that would be made applicable by the proposed rezoning.
- § The property affected by the amendment is suitable for uses permitted by the district applicable to the property at this time of the proposed amendment.
- § The property affected by the amendment remains marketable for the uses permitted by the districts applicable to the property at the time of the proposed amendment.
- § Current wastewater and transportation infrastructure and facilities are generally not suitable and adequate for the proposed use.

SUPPORTING MATERIALS

1. Application
2. Rezoning map (provided in packet)



FOR OFFICE USE ONLY	
CASE NO.	<u>04-018</u>
DATE SUBMITTED	<u>3/29/06</u>

ZONING MAP AMENDMENT (REZONING) APPLICATION

MINIMUM SUBMITTAL REQUIREMENTS

If a petition for rezoning is denied by the City Council, another application for rezoning shall not be filed within a period of 180 days from the date of denial, except with permission of the Planning & Zoning Commission or City Council. The following items must be submitted by an established filing deadline date for consideration:

- ☒ Application completed in full.
- ☒ \$500 Application fee
- ☒ Two (2) copies of a fully dimensioned map on 24" x 36" paper showing:
 - a. Land affected;
 - b. Legal description of area of proposed change;
 - c. Present zoning;
 - d. Zoning classification of all abutting land; and
 - e. All public and private rights-of-way and easements bounding and intersecting subject land.
- ☒ Written legal description of subject property (metes & bounds or lot & block of subdivision, whichever is applicable).
- ☒ A CAD (dxf/dwg) - model space State Plane NAD 83 or CIS (shp) digital file (e-mailed to P&ZSDigital@csb.gov).
- ☒ The Rezoning Supporting information sheet completed in full.

Date of Required Preapplication Conference: June 3, 2005 and May 31, 2006

APPLICANT'S INFORMATION:

Name Weingarten / Investments, Inc.
Street Address 2600 Citadel Plaza Drive
City Houston State TX Zip Code 77008
E-Mail Address est@weingarten.com
Phone Number 713-880-6188 Fax Number 713-880-7227

PROPERTY OWNER'S INFORMATION:

Name Weingarten Realty Investments
Street Address 2600 Citadel Plaza Drive City Houston
State TX Zip Code 77008 E-Mail Address est@weingarten.com
Phone Number 713-880-6188 Fax Number 713-880-7227

This property was conveyed to owner by deed dated See Attached and recorded in Volume _____ Page _____ of the Brazos County Deed Records.

General Location of Property: Southeast corner of Rock Landing Road and 33rd St.

Address of Property / Legal Description: See attached legal description

Acreage - Total Property: 35.70 acres

Existing Zoning: C-2, B-4, and I-4 Proposed Zoning: C-1

Present Use of Property: Cracking and vacant church building

Proposed Use of Property: Retail Center

PROPERTY OWNERS (as shown on the attached site exhibit)

2. Weingarten/Investments, Inc. (part of 19.175 acres)
2600 Citadel Plaza Drive
Houston, TX 77008

Volume 7488, Page 248, D.R.B.C.T.

3. Weingarten/Investments, Inc (part of 5.6 acres)
2600 Citadel Plaza Drive
Houston, TX 77008

Volume 7488, Page 256, D.R.B.C.T.

4. Weingarten/Investments, Inc. (part of 7.16 acres)
2600 Citadel Plaza Drive
Houston, TX 77008

Volume 7680, Page 227, D.R.B.C.T.

REZONING SUPPORTING INFORMATION

- 1) List the changed or changing conditions in the area or in the City which make this zone change necessary.

The Comprehensive Plan has shown the land in this application as Regional Retail and the applicant has purchased all the tracts and seeks to zone the property to C-1 Commercial which will put the zoning into compliance with the Comprehensive Plan. The property is located at the intersection of a major highway and major arterial street. The property location is compatible with other commercial uses at the intersection. The site currently contains a mixture of zoning classifications including A-O, R-4 and C-2, which is not in compliance with the Comprehensive Plan.

- 2) Indicate whether or not this zone change is in accordance with the Comprehensive Plan. If it is not, explain why the Plan is incorrect.

The zoning change is in accordance with the Comprehensive Plan.

- 3) How will this zoning change be compatible with the present zoning and conforming uses of nearby property and with the character of the neighborhood?

The southwest corner of Rock Prairie Road and SH 6 is a retail shopping center anchored by Kroger and includes many restaurants and other retail shops. The land is zoned C-1. The northwest corner of Rock Prairie Road and SH 6 is also zoned C-1 and features including a gas station and hotel. The northeast corner of Rock Prairie Road and SH 6 is also zoned C-1 and has uses of retail operators, restaurants and a hotel. The zoning request made here will be compatible with all of these existing retail commercial uses and with the zoning change will place the land in compliance with the Comprehensive Plan.

- 4) Explain the suitability of the property for uses permitted by the rezoning requested.

The property is located along a major state highway and major city arterial road which will allow traffic to circulate efficiently with minimum impacts to the surrounding retail uses. The allowed uses under the zoning request will service the needs of the citizens and City as planned for and represented in the Comprehensive Plan.

- 5) Explain the suitability of the property for uses permitted by the current zoning district.

A significant portion of the property included in this application is A-O Open Agriculture.
The A-O zoning basically only allows agriculture, government or religious uses. The land is located at an
intersection along a major state highway and a major city arterial road on its northern boundary, which
makes retail use the highest and best use of the property, as reflected by the City's own Comprehensive
Plan.

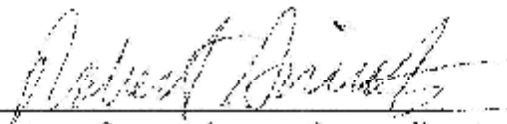
- 6) Explain the marketability of the property for uses permitted by the current zoning district.

The current zoning limits the marketability of the property because it cannot be developed for the highest
and best use, which the City's Comprehensive Plan correctly designates as Regional Retail.

- 7) List any other reasons to support this zone change.

The zoning request is in compliance with the Comprehensive Plan and is compatible with the surround
commercial uses at this intersection of major state highway and major City arterial road.

The applicant has prepared this application and supporting information and certifies that the facts state herein and exhibits attached hereto are true and correct. IF APPLICATION IS FILED BY ANYONE OTHER THAN THE OWNER OF THE PROPERTY, APPLICATION MUST BE ACCOMPANIED BY A POWER OF ATTORNEY STATEMENT FROM THE OWNER.


Signature of owner (or agent) or applicant

02/25/2009
Date